



OIFIG AN CHIGIRE PRÍOSÚN  
OFFICE OF THE INSPECTOR OF PRISONS

# ANNUAL REPORT 2020

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# FOREWORD

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Minister,

I am pleased to present to you the tenth Annual Report of the Inspector of Prisons since the establishment of the Office on a statutory basis in 2007. This report informs you of our activities in 2020.

The increase in our 2020 budget allocation enabled us to progress the recruitment of additional staff. With the assistance of your Departmental officials and the Public Appointments Service we welcomed new colleagues in November and December and look forward to further additions in early 2021.

During the year we continued our prison oversight activities despite the challenges posed by the COVID-19 pandemic. This report provides an overview of the key issues we identified throughout the year.

Unfortunately, again this year we have concluded that the Irish Prison Service Prisoners Complaints System is unfit for purpose. This is the third successive year this has been highlighted. An effective complaints system is an essential tool in the armoury of human rights protections. The introduction of an effective complaints system must be identified as a priority for action.

I would like to thank my colleagues in the Office for their continued support throughout the year. I also express my gratitude to your officials in the Department of Justice for their support of the essential role that we perform.



Patricia Gilheaney  
Inspector of Prisons  
15 March 2021

# GLOSSARY

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Act	Prisons Act 2007
CCTV	Closed Circuit Television
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DiC	Death in Custody
DPER	Department of Public Expenditure and Reform
HSE	Health Service Executive
ICT	Information and Communication Technology
IM&T	Information Management & Technology
Inspectorate	Office of the Inspector of Prisons
IPS	Irish Prison Service
IPS HQ	Irish Prison Service Headquarters
Minister	Minister for Justice
NPHET	National Public Health Emergency Team
OGP	Office of Government Procurement
OIP	Office of the Inspector of Prisons
PIMS	Prisoner Information Management System
PPE	Personal Protective Equipment
RTR	Reviewable Temporary Release
SPG	Strategy and Policy Group
SPT	Subcommittee on Prevention of Torture
WHO	World Health Organisation

# 1 INTRODUCTION

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## 1.1 Functions of the Office of the Inspector of Prisons

The Office of the Inspector of Prisons was established pursuant to Section 30 of the Prisons Act 2007 (“the Act”) in January 2007. The Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on her by Part 5 of the Act. Patricia Gilheaney is the current Inspector and was appointed on 7 May 2018 for a five year term in office subject to the provisions of Section 30 of the Act. The Inspector of Prisons is independent in the performance of her functions.

The key function of any inspectorate body is to carry out inspections and this is equally true for the role of Inspector of Prisons. Section 31(1) of the Act places an obligation on the Inspector of Prisons to carry out regular inspections of prisons. Although the legislation does not define ‘regular inspections’, international practice indicates a full inspection every three years as the sector norm.

In addition to inspections, the Inspector of Prisons may be requested by the Minister for Justice to carry out an investigation into any matter arising out of the management or operation of a prison, and if so requested, is obliged to carry out the investigation. The Inspector may carry out an investigation of her own volition.

The role of the Inspector of Prisons is as follows:

- Regular inspection of all 13 prisons in Ireland (one of which is temporarily closed since May 2017 for repurpose and refurbishment);
- Carry out investigations of deaths in custody and also of any death of a person on temporary release that occurs within one month of his/her release;
- Carry out an investigation requested by the Minister for Justice into any matter arising out of the management or operation of a prison;
- Receive and reply to letters from prisoners in accordance with Rule 44 of the Prison Rules 2007-2020;
- Oversight of the Irish Prison Service (IPS) prisoner complaints system and carry out the functions assigned pursuant to Prison Rule 57B of the Prison Rules 2007-2020;
- It is not a function of the Inspector to investigate or adjudicate on a complaint from an individual prisoner, but she may examine the circumstances relating to a prisoner complaint where necessary for performing her functions (Section 31(6) Prisons Act 2007).

The Inspector of Prisons does not have statutory authority to publish inspection reports, investigation reports or annual reports. In accordance with Section 31 or 32 of the Act as applicable, as soon as practicable after receiving a report from the Inspector of Prisons, the Minister must, subject to the following caveats, lay it before both Houses of the Oireachtas and publish the report.

The Minister may omit any matter from any report laid before the Houses of the Oireachtas if s/he is of the opinion that:

1. Its disclosure may be prejudicial to the security of the prison or of the State, or
2. After consultation with the Secretary General to the Government, that its disclosure
  - a. would be contrary to the public interest, or
  - b. may infringe the constitutional rights of any person.

Where any matters are so omitted, a statement to that effect must be attached to the report concerned on it being laid before both Houses of the Oireachtas, and on its publication.

## 1.2 Composition of the Office of the Inspector of Prisons

The Office of the Inspector of Prisons comprised five members of staff, including the Inspector of Prisons, for the majority of the year. In late 2020, the Office was expanded to eight members of staff, including the Inspector of Prisons (Chief Inspector). Hereunder is a breakdown of the staff attached to the Office at 1 January and 31 December 2020.

On 1 January 2020	On 31 December 2020
<b>Inspector of Prisons</b> Ms Patricia Gilheaney	<b>Chief Inspector of Prisons</b> Ms Patricia Gilheaney
<b>Principal Officer</b> Ms Helen Casey	<b>Senior Inspector</b> Ms Helen Casey
<b>Administrative Officer</b> Ms Fiona Feeney	<b>Senior Inspector</b> Dr Ciara O'Connell (December 2020)
<b>Higher Executive Officer</b> Vacant since September 2018	<b>Inspector</b> Mr John Byrne (September 2020)
<b>Executive Officer (Fixed Term)</b> Mr John Byrne	<b>Inspector</b> Ms Fiona O'Dea (November 2020)
<b>Executive Officer</b> Mr Ross Donegan	<b>Data Analyst</b> Dr Douglas Nanka-Bruce (November 2020)
<b>Clerical Officer</b> Vacant since May 2019	<b>Administrative Officer</b> Ms Fiona Feeney
	<b>Executive Officer</b> Mr Ross Donegan

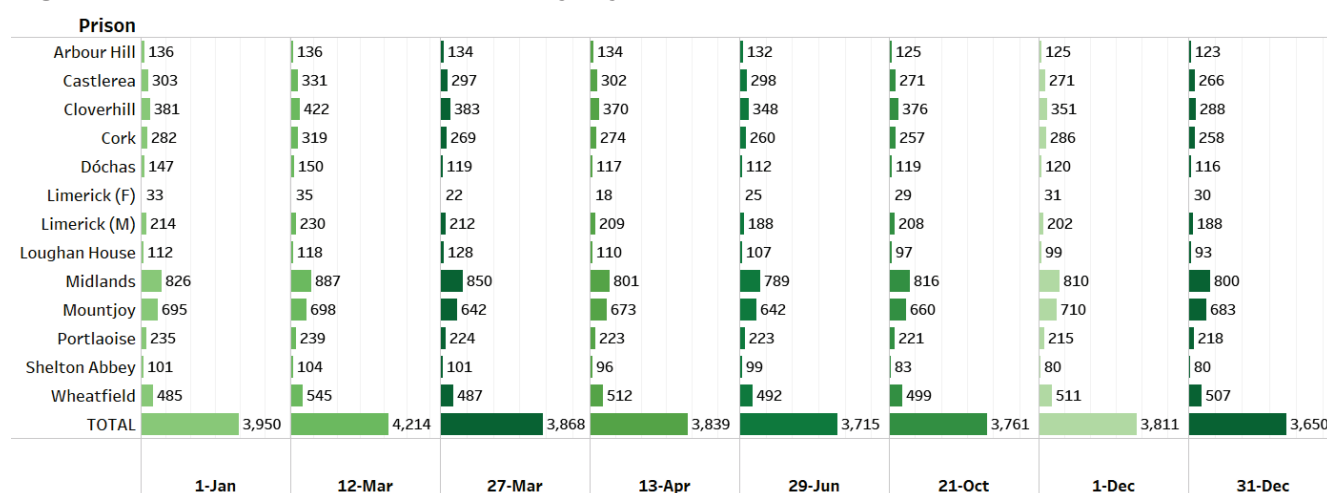
## 2 OVERVIEW OF PRISONS 2020

The 2019 Annual Report of the Office of the Inspector of Prisons provided a comprehensive overview of prisons in Ireland, which included a synopsis of, amongst other areas, healthcare, restricted regimes, quality initiatives, purposeful activities and operational challenges in each prison. In 2020, the Inspectorate focused on capturing and examining the impact of COVID-19 in Irish prisons. This 2020 Overview of Prisons provides information on the prison estate in general, in order to highlight changes in the prison population and efforts taken to address the risk of COVID-19 transmission in the prison estate.

### 2.1 Prison Population

In 2020, the overall prison population fluctuated in response to efforts made by the IPSto reduce the prison population as a COVID-19 transmission prevention measure. **Figure 1** captures the prison population as it stood on 1 January, 12 March, 27 March (commencement of first lockdown), 13 April, 29 June (end of first lockdown), 21 October (commencement of second lockdown), 1 December (end of second lockdown) and 31 December 2020.

**Figure 1: Number of Persons in Custody, by Prison, Across 2020**



**Figure 1** indicates that within one month of the onset of the pandemic, the prison population was reduced by nearly 9% from 4,214 on 12 March 2020 to 3,839 on 13 April 2020. Over the course of the year, the prison population in Ireland reduced by a total of 7.6%, from 3,950 on 1 January 2020 to 3,650 on 31 December 2020.

In prisons which accommodated women, the population was decreased by more than one quarter in the initial period of COVID-19 restrictions; on 12 March there were 185 people accommodated in the Dóchas Centre (Mountjoy Women's Prison) and the women's wing of Limerick Prison, compared to 135 people on 29 June 2020. However, by the end of the year this number had increased to 146.

## 2.2 Reduction of the Prison Population

The reduction in the number of persons in custody in Irish prisons is reflective of measures taken to prevent and reduce transmission of COVID-19. Early and temporary release was applied to an increased number of prisoners described as 'low risk' and who were assessed on an individual basis. Two target groups were identified for release: (i) prisoners serving sentences of less than 12 months for non-violent offences, and (ii) prisoners with less than six months remaining on their sentence.<sup>1</sup> While the Inspectorate welcomes the overall reduction of the prison population, the total number of persons in custody would need to be below 3,000 to ensure single-cell occupancy in Irish prisons; a measure which would aid in transmission prevention.<sup>2</sup>

The IPS approach to managing COVID-19 has been heralded as best practice, and is inclusive of a contact tracing model commended by the World Health Organization (WHO).<sup>3</sup> The IPS's proactive efforts to prevent transmission of COVID-19 into the prisoner population resulted in a minimal number of COVID-19 cases in Irish prisons; this is to be commended.

However, the Inspectorate, in accordance with the guidelines provided by the United Nations Subcommittee on the Prevention of Torture, the European Committee for the Prevention of Torture and the World Health Organization,<sup>4</sup> urges the IPS to consider the need to further decrease the prison population as a measure to reduce the risk of COVID-19 transmission in Irish Prisons.

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<sup>1</sup> Houses of the Oireachtas, 'Prisoner Releases' (23 June 2020) <[www.oireachtas.ie/en/debates/question/2020-06-23/317/?highlight%5B0%5D=thomas&highlight%5B1%5D=pringle&highlight%5B2%5D=release&highlight%5B3%5D=releas](http://www.oireachtas.ie/en/debates/question/2020-06-23/317/?highlight%5B0%5D=thomas&highlight%5B1%5D=pringle&highlight%5B2%5D=release&highlight%5B3%5D=releas)>

<sup>2</sup> Houses of the Oireachtas 'Prisoner Data' (20 May 2020) <https://www.oireachtas.ie/en/debates/question/2020-05-20/491/>; IPRT Standard 9 (PIPS, 2019) <https://pips.iprt.ie/progress-in-the-penal-system-pips/part-2-measuring-progress-against-the-standards/b-prison-conditions/9-single-cell-accommodation/>

<sup>3</sup> Mattea Clarke et al, 'Establishing Prison-Led Contact Tracing to Prevent Outbreaks of COVID-19 in Prisons in Ireland' (2020) 42:3 *Journal of Public Health* 519.

<sup>4</sup> SPT 9(2) [www.ohchr.org/Documents/HRBodies/OPCAT/AdviceStatePartiesCoronavirusPandemic2020.pdf](http://www.ohchr.org/Documents/HRBodies/OPCAT/AdviceStatePartiesCoronavirusPandemic2020.pdf); CPT (5) <https://rm.coe.int/16809cfa4b>; WHO <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/publications-and-technical-guidance/vulnerable-populations/prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention/faq-prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention#441907>



### 3 ACTIVITIES RELATED TO COVID-19

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The COVID-19 pandemic presented a challenging environment in which to inspect treatment and conditions in prisons. On a global scale, prisons were identified as potential epicentres for transmission of the virus both within and beyond the prison walls.<sup>5</sup> Given the restrictions imposed in prisons to prevent transmission of COVID-19, including restricted regimes and limitations on external visitors to prisons, oversight of prisons was of the utmost importance over the course of the year. The Inspectorate remained committed to its oversight function in 2020, despite the challenges posed by COVID-19.

The Inspectorate's COVID-19 related activities between March and December 2020 were as follows:

- i. Short visits carried out to each prison between 26 March and 5 May 2020, which were followed by telephone calls made to prison Governors between April and July 2020 (section 3.1 & 3.2)
- ii. Ongoing communications with the IPS, including daily and weekly prison reports from the IPS Director General (section 3.3)
- iii. Development of a report in collaboration with Maynooth University on the impact of cocooning on persons in custody (section 3.4)

#### 3.1 Short Visits to Prisons

The Inspectorate carried out short visits to all 12 Irish prisons during the first month of restrictions related to COVID-19 (**Table 1**). These short visits varied in length, but shared a dual objective of (i) examining how the prisons implemented COVID-specific preventive measures, and (ii) determining what impact these measures had on the prisoner population.

**Table 1. COVID-19 Short Visits to Prisons**

Date	Place of Detention
26/03/2020	Wheatfield Prison
26/03/2020	Cloverhill Prison
27/03/2020	Midlands Prison
01/04/2020	Cork Prison
01/04/2020	Limerick Prison
06/04/2020	Shelton Abbey
07/04/2020	Portlaoise Prison
08/04/2020	Arbour Hill Prison
12/04/2020	Mountjoy Prison (Men)
20/04/2020	Loughan House Open Centre
21/04/2020	Castlerea Prison
27/04/2020	Mountjoy Women's Prison - Dóchas Centre
28/04/2020	
05/05/2020	

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<sup>5</sup> \*Stuart Kinner, et al. 'Prisons and Custodial Settings are Part of a Comprehensive Response to COVID-19' (2020) 5 The Lancet e188.

## Mountjoy Women's Prison - Dóchas Centre Short Visit

At the time the Short Visits were carried out, the Mountjoy Women's Prison - Dóchas Centre had the highest percentage of persons in custody who were cocooning or in isolation. In contrast to the other prisons visited by the Inspectorate, the situation in the Mountjoy Women's Prison was an outlier, with over 50% of persons in custody either cocooning or in isolation, and as such required further examination. The Inspectorate conducted an Oversight Monitoring Visit of Mountjoy Women's Prison - Dóchas Centre and spent a total of three days in the Centre in April and May 2020. The Inspection Report on the three-day Oversight Monitoring Visit to Mountjoy Women's Prison - Dóchas Centre was submitted to the Minister of Justice in August 2020.

**Table 2. Number of Prisoners Cocooning in Mountjoy Women's Prison**

Date	Cocooning (Rule 63)	Isolation (Rule 103)	Total Population	Percentage of Population Cocooning/Isolation
April 27	51	13	117	54.7%
April 28	51	9	113	53%
May 5	52	9	109	56%

## 3.2 Telephone Calls to Prisons

To complement the Short Visits carried out to each prison, the Inspectorate initiated follow-up calls to the prisons between 8 April and 21 July 2020. The objective of the calls was to take account of the situation of people on COVID-19 related restricted regimes (Rule 63 and Rule 103). (See Call Template at Appendix 11.1). **Table 3** notes the number of calls made to each prison.

**Table 3: Calls made to prisons in relation to COVID-19**

Prisons	Calls
Arbour Hill (8)	8 April, 20 April, 6 May, 22 May, 2 June, 12 June, 24 June, 2 July
Castlerea Prison (6)	17 April, 5 May, 22 May, 9 June, 23 June, 7 July.
Cloverhill Prison (9)	9 April, 24 April, 14 May, 20 May, 2 June, 17 June, 24 June, 9 July, 21 July
Cork Prison (9)	8 April, 20 April, 13 May, 20 May, 28 May, 12 June, 17 June, 24 June, 2 July
Limerick Prison (6)	15 April, 5 May, 22 May, 9 June, 23 June, 8 July
Loughan House (5)	8 April, 8 May, 28 May, 24 June, 17 July
Midlands Prison (6)	20 April, 5 May, 22 May, 9 June, 23 June, 7 July
Mountjoy Prison (M) (8)	8 April, 22 April, 1 May, 13 May, 28 May, 12 June, 24 June, 2 July
Mountjoy Prison (W) (8) (Dóchas Centre)	8 April, 13 May, 22 May, 28 May, 12 June, 17 June, 24 June, 2 July
Portlaoise Prison (6)	15 April, 6 May, 22 May, 9 June, 23 June, 7 July
Shelton Abbey (6)	17 April, 6 May, 22 May, 9 June, 23 June, 7 July
Wheatfield Prison (6)	20 April, 6 May, 22 May, 9 June, 23 June, 8 July

Based on the calls made to the prisons from the April to July timespan, the Inspectorate noted the following:

### 3.2.1 Positive Initiatives

- Introduction of Video Link Family visits across the Prison estate; Foreign national prisoners able to see their family in their home country;
- Internal TV channel used by teachers to provide ongoing education to those who attended school and mindfulness sessions;
- In-cell phone provided for prisoners to ring support services such as Samaritans and chaplain;
- New arrangements introduced whereby family could lodge money to a prisoner's account using An Post;
- Parole Board interviews with prisoners were facilitated by way of a video phone link;
- Expansion of Video link Court appearances;
- Netflix rolled out;
- Support services provided for ill elderly prisoner upon release from prison;
- Additional staff available in the prisons due to limited Court escorts;
- Arrangements were made by the IPS to escort remand prisoners to Court, who prior to the pandemic were escorted by An Garda Síochána, thereby restricting their contacts and avoiding the necessity for them having to undergo a further 14 day quarantine.

### 3.2.2 Concerns/Issues

- Some quarantine and /or isolation cells had no shower. The prisoners in quarantine in those prisons had no access to a shower for the duration of their time spent in quarantine, which in many cases was 14 days. Prisoners were provided with a sponge and basin to maintain their personal hygiene;
- Prisoners who were escorted under warrant from custody by An Garda Síochána for questioning under Section 42 of the Criminal Justice Act 1999 were placed in quarantine for 14 days on return;
- Video Link family calls had many ongoing technical difficulties such as, not connecting with the family member, calls dropping, insufficient video link locations and difficulties encountered in securing a time slot;
- No provision for prisoners to get replacement clothing from their family when visits were cancelled;
- Limited or no out-of-cell time for those in quarantine or isolation;
- Limited to no meaningful human contact for those in quarantine or isolation;
- School cancelled except for open university;
- Workshops closed; and
- Yard time curtailed.

### 3.2.3 COVID-19 related Restricted Regimes

In line with Article 2 of the European Convention on Human Rights, the Irish Government's objective over the course of the pandemic has been to protect lives. In its response to the COVID-19 outbreak, the Government introduced a number of restrictions relating to movement and association that impacted on all sectors of the community.

The IPS, in its efforts to prevent COVID-19 transmission in prisons, introduced a number of measures that restricted the daily prisoner regime. In respect of those in the general population, access to purposeful activities such as school, training and work was curtailed or ceased. Additionally, in-person family visits were ceased, and out-of-cell time was reduced. Further, the IPS introduced very restrictive measures intended to prevent COVID-19 transmission, such as: (i) Cocooning, (ii) Quarantine and (iii) Isolation.

People cocooning, primarily in the early stages of the pandemic, did so due to advanced age (70≤), and/or because of chronic unstable medical conditions (see section 3.4 for more information on people cocooning in prison).

Those placed on Quarantine included:

- All Committals to prison;
- Prisoners returning from Court;
- Prisoners returned to custody by An Garda Síochána following interview at a Garda Station under a Section 42 warrant

Individuals were placed in quarantine for 14 days following committal. Their out-of-cell time comprised one hour out-of-cell daily. A single committal was permitted to exercise on his/her own for the 14 days with no opportunity for meaningful human contact. Where two or more people were committed on a particular day, that group were allowed exercise together for the duration of their quarantine. A similar situation applied following appearance at Court or other periods of temporary release. Meals were delivered to the cells on a daily basis.

Those placed in isolation included:

- Prisoners who tested positive with COVID-19 virus;
- Those showing symptoms of the COVID-19 virus – while awaiting test result;
- Close contact of a person with COVID-19 – while awaiting test results.

While it is acknowledged that measures taken by the IPS, such as cocooning, quarantine and isolation were introduced to prevent transmission of the virus and to preserve life, it is the Inspectorate's view that some measures had a disproportionate impact on prisoners. Those prisoners subjected to quarantine and isolation were held in solitary confinement, as they had less than two hours of daily out-of-cell time, with no access to education, work or training, and did not have meaningful human contact. Research has shown that solitary confinement can have a damaging effect on mental and social health.<sup>6</sup> It is the view of the Inspectorate, in line with recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), that any restriction in addition to that imposed by the Court requires additional justification.<sup>7</sup> That is, that any additional restrictions imposed on prisoners must be:

- Proportionate
- Lawful
- Accountable
- Necessary, and
- Non-discriminatory

When imposing preventive restrictions and upholding human rights obligations; it is vital that the IPS justify the steps taken to prevent COVID-19 transmission, in line with the PLANN test.

In July 2020, the Prison Rules were amended by S.I. 250/2020 to insert new Rules 32A and 36A (Appendix 11.2). These Rules were amended with a view to preventing the spread of Infectious diseases. Rule 32A provides for the Governor on the direction of the Director General to suspend entitlement to physical recreation, exercise or training under Rule 32, or to restrict or modify the entitlement to physical recreation, exercise or training as regards frequency, duration and arrangement, for a specified period. Rule 36A relates to prisoner visits and provides for the Director General to direct a Governor to suspend the entitlement to visits under Rule 35, or to restrict or modify the entitlement to

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<sup>6</sup> Thomas Hewson, et al, 'Effects of the COVID-19 Pandemic on the Mental Health of Prisoners' (2020) 7 The Lancet 568.

<sup>7</sup> CPT/Inf(2011)28-part2

visits, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits for a specified period or periods.

The Inspectorate is concerned that no provision has been made in Rule 32A or 36A to indicate that the restrictive measures being imposed must be assessed prior to implementation to ensure the measure(s) is/are proportionate, lawful, accountable, necessary and non-discriminatory. Further, the Inspectorate is concerned about the ambiguous nature of the Rules, specifically in that they do not specify a sunset clause.

### 3.3 Communications with IPS

With the onset of COVID-19, IPS Headquarters provided the Inspectorate with updates on the emerging situation across the prison estate. Communications included fortnightly calls with the Director General of the IPS, provision of all information newsletters distributed to staff and prisoners and provision of daily COVID-19 transmission figures. The IPS shared 25 prisoner newsletters and 13 staff newsletters with the Inspectorate between March and December 2020. The Inspectorate welcomes this ongoing and substantive communication with the IPS.

### 3.4 Report on Cocooning in Prison

In collaboration with Maynooth University, the Inspectorate embarked on a project to learn about the experience of cocooning from people cocooning in custody. The two-pronged objective of the project was (i) to establish how these persons might be best supported, and (ii) to minimise the harm they experience as a result of the public health measures imposed to address COVID-19. The project spanned seven prisons and commenced in April 2020. It was designed to capture the experience of cocooning from two cohorts: (i) those cocooning due to advanced age, and (ii) those cocooning because of chronic unstable medical conditions. A total of 86 journals (94 people were cocooning across eleven prisons at the time) were distributed by Red Cross volunteers to both men and women in custody. Participants were asked to share their experience of cocooning in prison using the journals. In early May, 72 journals were collected, 49 of which were written or drawn in.

Analysis of journals revealed key themes and recommendations, summarised below in **Table 4**, and available in full in the *Ameliorating the Impact of Cocooning of People in Custody – A Briefing*<sup>8</sup> report. The IPS provided the Inspectorate with an update on the status of recommendations as of 28 January 2021 and this information is also included in **Table 4**.

**Table 4: Cocooning in Custody: Themes and Recommendations**

Key Theme 1: Food (food delivery, presentation and contents)	
Recommendation	IPS - Status of Recommendation as of 28 January 2021
<ul style="list-style-type: none"><li>Commit to better consultation with people subjected to public health measures or restricted regimes about their food.</li></ul>	There are no longer any separate arrangements for cocooned prisoners, in line with public health guidelines in the community.

<sup>8</sup> Office of the Inspector of Prisons and Maynooth University, *Ameliorating the Impact of Cocooning of People in Custody – A Briefing* (20 July 2020) <https://www.oip.ie/wp-content/uploads/2020/07/Ameliorating-the-impact-of-cocooning-on-people-in-custody-a-briefing.pdf>

<ul style="list-style-type: none"> <li>Consideration might be given to the models used in hospitals for food selection, as well as the possibility that people might collect their own food at a separate time to the general population.</li> </ul>	There are no longer any separate arrangements for cocooned prisoners, in line with public health guidelines in the community.
<b>Key Theme 2: Yard Time</b> <i>(time spent in outdoor exercise, fresh air, social contact)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>Adapt timetables to increase periods in the yard, such by allowing cocooners out to the yard before other people engage in activities.</li> </ul>	There are no longer any separate arrangements for cocooned prisoners, in line with public health guidelines in the community.
<b>Key Theme 3: Social Connection / Staff-Prisoner Interactions</b> <i>(absence of social contact, importance of positive interactions)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>As restrictions ease, creating 'pods' of vulnerable prisoners might be feasible, or cocooned corridors/bubbles where people can move around more freely within these zones, done in consultation with people in custody</li> </ul>	There are no longer any separate arrangements for cocooned prisoners, in line with public health guidelines in the community. However in the event of a prison COVID-19 outbreak, prisoner pods, as small as operationally feasible, will be created.
<ul style="list-style-type: none"> <li>Increased number of phone calls, development of video calls, provision of in-cell phones and timely postal collection.</li> </ul>	<p>Video call arrangements are now in place in all prisons.</p> <p>Additional phone calls provided when physical visits were cancelled.</p> <p>Prisoners who are confined to cell due to quarantine or isolation can request access to a phone line to make calls.</p>
<ul style="list-style-type: none"> <li>Retain provision of and expand access to direct lines to addiction counselling, release support, chaplaincy and psychology.</li> </ul>	<p>Cocooned prisoners are no longer confined to cell and can access services along with the general prison population.</p> <p>Prisoners who are confined to cell due to quarantine or isolation can request access to a phone line to make their calls to Chaplaincy and Psychology within the prison and to national helplines, including Drug Counselling services.</p>
<ul style="list-style-type: none"> <li>Encourage the development of positive relationships and interactions between staff and prisoners as much as possible.</li> </ul>	Cocooned prisoners are no longer confined to cell and can access services and engage with prison staff more freely, along with the general prison population.
<b>Key Theme 4: Consistency, Communication &amp; Feelings of Punishment</b> <i>(consistency in regime delivery and practice; punished for being vulnerable)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>With regard to governmental guidelines, interactions with cocooning people in custody are conducted masked and face-to-face at appropriate distances, rather than through a closed door.</li> </ul>	There are no longer any separate arrangements for cocooned prisoners, in line with public health guidelines in the community.
<ul style="list-style-type: none"> <li>Consider other measures to enhance the experience of interactions, and by extension, enhance the impact, clarity and legitimacy of any communicated information.</li> </ul>	<p>Cocooned prisoners are no longer confined to their cells and they can mix with the general prison population within their landing.</p> <p>A Living in Cell Information Booklet is issued to all who are confined to cell.</p>



<ul style="list-style-type: none"> <li>Consider contacting relevant persons from other jurisdictions who may have ideas for innovative approaches for supporting cocooners in prisons.</li> </ul>	There are no longer any special arrangements for supporting cocooned prisoners.
<b>Key Theme 5: Mental &amp; Physical Health</b> <i>(exacerbated healthcare needs)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>Consideration of mental health needs must reflect both the impact on people with mental illnesses and pre-existing mental health issues and the general mental health implications and trauma caused by the pandemic and by the restrictions.</li> </ul>	Cocooned prisoners are no longer confined to cell and can access services along with the general prison population. Prison Healthcare and Psychology are deemed essential services and continue to operate in prisons.
<ul style="list-style-type: none"> <li>IPS needs to find ways to identify and respond to trauma caused by the pandemic among people in custody, staff and other stakeholders, whether this trauma manifests immediately or a year or more down the line (short and longer term plans).</li> </ul>	The Prison healthcare service and Psychology Service are available to respond to trauma caused by the pandemic among people in custody.
<ul style="list-style-type: none"> <li>One action should be to assign someone in IPS HQ the task of ensuring, in liaison with hospitals and the HSE, that people in custody are remembered as health services resume.</li> </ul>	Health services continue to be provided in prison during the pandemic and essential hospital appointments continue to be scheduled. The Care and Rehabilitation Directorate continue to advocate with the HSE and Department of Health for prisoner access to all healthcare services on the basis of equivalence of care.
<b>Key Theme 6: Purposeful Activity</b> <i>(access to work, education and varied activity)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>Provide educational, fitness and other resources through an in-cell audio-visual system.</li> </ul>	An in-cell TV system has been established in 4 prisons and there are plans to extend it to all prisons. Suitable material to broadcast on the channel is being created by prison services and in-reach organisations.
<ul style="list-style-type: none"> <li>Collaborate with universities to create educational content and to develop digital pedagogies.</li> </ul>	IPS is liaising with the Education and Training Boards to create and source suitable educational materials. Some Prison Education Centres have existing arrangements with higher education institutions.
<ul style="list-style-type: none"> <li>Provide access to WiFi enabled tablets (with regard to appropriate security measures) to enable engagement with educational materials, games, communications technologies, books, newspapers and to support physical and mental health.</li> </ul>	When the Education Centres are closed, educational and arts materials are distributed to prisoners in cell. The availability of the TV channel will enable blended learning by having educational content included on the TV schedule. There are no plans to provide WiFi enabled devices in cell at this time. Library books continue to be made available in all prisons.
<ul style="list-style-type: none"> <li>IPS should establish mechanisms to ask those subject to restricted regimes what their needs are and how these might be met.</li> </ul>	There is ongoing engagement with people in custody through the Red Cross volunteers and Liaisons within each prison and feedback is sought through the Red Cross Community Health Action Committees.

<b>Key Theme 7: Consultation</b> <i>(engagement to determine need)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>Implement a range of policies and practise to ensure psychological safety and support mental health and reconnection as transition is made from the measures.</li> </ul>	The Prison Healthcare Service and Psychology Service continue to be available to respond to mental health and psychology needs, caused by the pandemic among people in custody.
<ul style="list-style-type: none"> <li>Restorative practices could be used to give prisoners and staff meaningful opportunities to express themselves and play a role in determining what should happen in relation to protocols for visits, relaxing regimes, and provision of ongoing support.</li> </ul>	There is ongoing communication with prisoners at local level. IPS has also issued fortnightly newsletters to provide information, advice and updates to all people in custody.
<ul style="list-style-type: none"> <li>Ongoing and continuous engagement with prisoners and staff to assist IPS in developing policies and practices.</li> </ul>	There is ongoing communication with prisoners and staff at local level. IPS has also issued fortnightly newsletters to provide information, advice and updates to all people in custody.
<b>Key Theme 8: Early Release</b> <i>(criteria for temporary early release)</i>	
<b>Recommendation</b>	<b>IPS - Status of Recommendation as of 28 January 2021</b>
<ul style="list-style-type: none"> <li>Mechanisms for early release and alternatives to custody are used to the widest extent.</li> </ul>	Ongoing – Prison review meetings recommenced in Mid 2020 via video.
<ul style="list-style-type: none"> <li>Engage and collaborate with other criminal justice agencies and relevant stakeholders to ensure that all persons who are able to safely serve their sentences in the community are afforded an opportunity to do so.</li> </ul>	Community Return Scheme and Community Support Scheme have continued to be available throughout 2020.
<p>Additional information provided by IPS on early releases –</p> <p>The legislative basis for making decisions on temporary release is fully set out in the Criminal Justice Act 1960, as amended by the Criminal Justice (Temporary Release of Prisoners) Act 2003. Any prisoner may apply through the prison Governor for consideration for temporary release. Their family or their legal representative can also apply for consideration of such a concession. It is very important to note that it does not necessarily follow that a prisoner will receive temporary release even if the recommendation made by the prison authorities and/or therapeutic services is to that effect. Each application is considered on its individual merits and a number of factors including the previous convictions are taken into account when making a decision on whether to grant temporary release.</p> <p>The 2003 Act sets out the criterion that is taken into account and includes the following -</p> <ul style="list-style-type: none"> <li>the nature and gravity of the offence to which the sentence being served by the person relates</li> <li>the sentence concerned and any recommendation made by the Court in relation to the sentence imposed</li> <li>the period of the sentence served by the person</li> <li>the potential threat to the safety and security of the public should the person be released</li> <li>the person's previous criminal record</li> <li>the risk of the person failing to return to prison at the expiration of the period of temporary release</li> <li>the conduct of the person while in custody or while previously on temporary release</li> <li>any report or recommendation made by the Governor, the Garda Síochána, a Probation &amp; Welfare Officer, or any other person whom the Minister considers may be of assistance in coming to a decision as to whether to grant temporary release</li> <li>the risk that the person might commit an offence during any period of temporary release</li> <li>the risk of the person failing to comply with any of the conditions of temporary release</li> <li>the likelihood that a period of temporary release might accelerate the person's reintegration into society or improve his prospects of obtaining employment</li> </ul>	



The Inspectorate notes that since the onset of the COVID-19 pandemic in March 2020, the IPS, and the Irish public sector more broadly, have implemented policy decisions that mere months prior were unforeseeable. In its response to the pandemic, the IPS implemented measures and policies (video visits, in-cell TV channel, An Post deposits, newsletters, etc.) to mitigate the impact of COVID-19 restrictions on persons in custody.

The Inspectorate commends the IPS in its efforts to restrict the spread of the virus across the prison estate, and welcomes retention of many of these initiatives, including the in-cell information TV channel and information newsletters, video link visits (as complementary but not a replacement to in-person visits) and An Post deposits.

In addition, the Inspectorate urges the IPS to consider ongoing need to expand application of the early release criteria, which would enable further reduction of the population of persons in custody. Further, the Inspectorate supports the IPS ongoing engagement with external agencies to ensure that people released from custody are provided with the necessary resources (housing, food, healthcare, employment, counselling, etc.) to successfully resettle and re-integrate into society.

## 4 OVERVIEW OF COMPLAINTS

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The Inspector of Prisons has a statutory role in relation to general oversight of the IPS Prisoner Complaints System. It is not a function of the Inspector of Prisons to investigate individual complaints, but the Inspectorate may examine the circumstances relating to a complaint where necessary for performing the functions of the Office.<sup>9</sup>

As required by the IPS Policy for Prisoner Complaints,<sup>10</sup> complaints are assessed and categorised by the Governor of the relevant prison. The complaint categories are as follows:

- **Category A** - complaints made by a prisoner alleging serious ill treatment, use of excessive force, serious intimidation/discrimination or threats by a member of staff.
- **Category B** - mid-range in terms of seriousness such as discrimination, verbal abuse of prisoners by staff, inappropriate searches etc.
- **Category C** - service level complaints such as complaints about visits, phone calls, reception issues missing clothes, not getting post on time, not getting appropriate exercise, etc.
- **Category D** - complaints against professionals such as dentists, doctors etc.
- **Category E** - complaints made by visitors to the prison
- **Category F** – complaints against decisions made by IPS HQ in relation to such matters as granting of temporary release, prison transfers etc.

### 4.1 Monthly Returns of Prisoner Complaints

The IPS provide the Inspectorate with data related to prisoner complaints. This information is required to be provided on a monthly basis by an appointed Prison Liaison Officer in each prison. Follow-up was required in circumstances where incomplete information was received.

The quantity and category breakdown of prisoner complaints registered during 2020 is provided below. This analysis is based on the data received by the Inspectorate from the monthly returns. Loughan House and Shelton Abbey, both Open Centres, recorded no complaints in 2020.

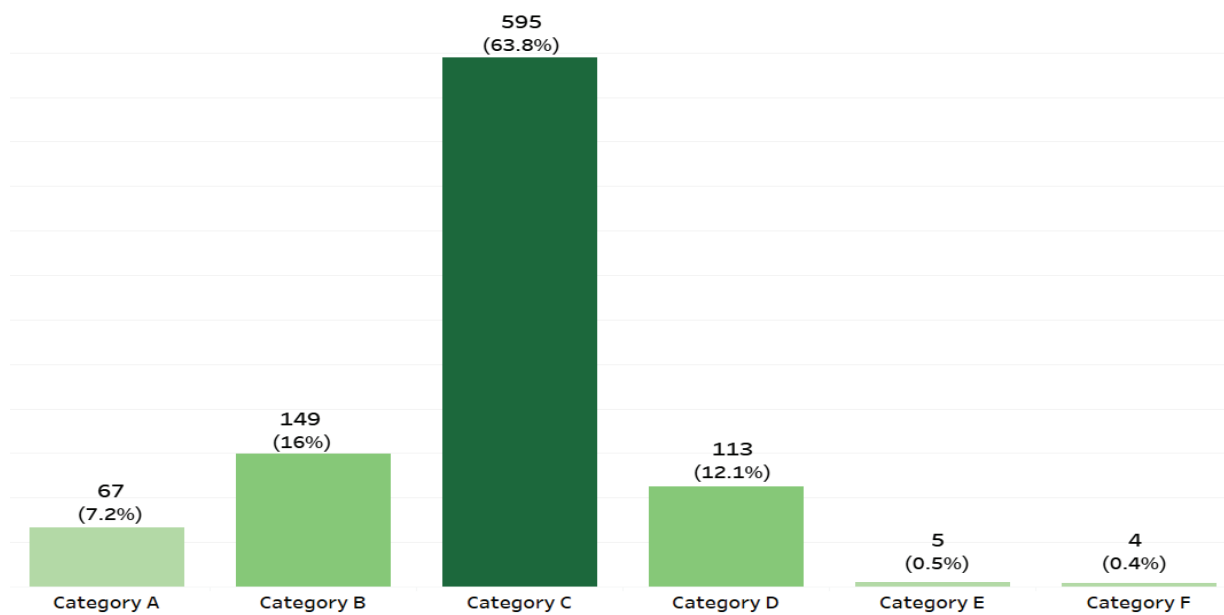
**Figure 2** and **Table 5** provide a breakdown of the number of complaints made in each prison under each of the complaint categories.

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<sup>9</sup> Section 31(6) Prison Act 2007.

<sup>10</sup> Irish Prison Service Policy for Prisoner Complaints, May 2014.

**Figure 2: 2020 Breakdown of Complaints by Category as per monthly prison returns**



**Table 5: Monthly Returns of Category A to Category F complaints made in each prison**

Place of Detention	Cat A	Cat B	Cat C	Cat D	Cat E	Cat F
Arbour Hill	3	3	6	0	0	1
Castlerea	7	6	85	23	1	0
Cloverhill	16	34	91	17	2	0
Cork	5	5	3	1	0	0
Limerick	2	1	4	2	0	0
Midlands	12	30	136	14	0	2
Mountjoy (Men)	3	28	132	23	2	1
Mountjoy (Women) - Dóchas Centre	8	22	27	7	0	0
Portlaoise	4	12	5	3	0	0
Wheatfield	7	8	106	23	0	0
Shelton Abbey	0	0	0	0	0	0
Loughan House	0	0	0	0	0	0
<b>Total</b>	<b>67</b>	<b>149</b>	<b>595</b>	<b>113</b>	<b>5</b>	<b>4</b>

## 4.2 Category A Complaints

### 4.2.1 Reporting Obligations under the Prison Rules

There are reporting obligations on the IPS under Rule 57(B) in relation to allegations of a serious nature such as assault or use of excessive force against a prisoner or ill treatment, racial abuse, discrimination, intimidation, threats. The obligations are set out in Rule 57B of the Prison Rules 2007-2020, as follows:

- Governor shall, within seven days of being notified of such a complaint notify the Inspector of Prisons, Rule 57B(4).
- In accordance with Rule 57B(5)(a), the Inspector of Prisons must be notified of the appointment of the persons or persons appointed by the Director General to investigate the complaint.
- If the Director General decides not to appoint an investigation team she must arrange for the Inspector of Prisons to be advised of the decision and the reasons for the decision as per Rule 57B(5)(b).
- If the complaint is withdrawn, the Governor, or the Designated Officer shall inquire as to why the complaint was withdrawn, document the reasons given and forward a report to the Director General. The Director General may decide that the investigation should be terminated (and if so document the reasons for doing so and advise the Inspector of Prisons under Rule 57B(5)(c)) or direct that the investigative process should continue.
- In accordance with Rule 57B(10)(a), the Inspector must be provided with a copy of every report submitted by an investigation team, including an interim report where the investigation is not completed within three months.
- In accordance with Rule 57B(10)(b) a copy of any report and the Governor's finding and decision shall be forwarded by the Governor to the Inspector of Prisons or if the Governor is the subject of the complaint the Director General shall forward a copy of the report to the Inspector of Prisons. As per Rule 57B(11) if a complainant is not satisfied with the outcome of the investigation, he or she may write to the Inspector of Prisons of the IPS stating why he or she is not satisfied in accordance with Rule 57B(12). The Inspector of Prisons shall have oversight of all investigations carried out under this Rule, shall have access to any material relevant to any such investigation and may investigate any aspect that he or she considers relevant.

### 4.2.2 Analysis of Category A Complaints

In 2020, the Inspectorate received notification of 90 Category A complaints from a total of ten prisons (**Table 6**).

**Table 6: Category A Complaint Notifications to the Inspector of Prisons**

Place of Detention	2020 Notifications of Category A Complaints
Arbour Hill	2
Castlerea Prison	7
Cloverhill Prison	18
Cork Prison	3
Mountjoy Women's Prison - Dóchas Centre	8
Limerick Prison	3
Midlands Prison	13
Mountjoy Men's Prison	4
Portlaoise Prison	20
Wheatfield Prison	12
<b>TOTAL</b>	<b>90</b>

As illustrated in **Table 5** and **Table 6** there is a discrepancy between the aggregate monthly return figures received from the prison liaison officers and the individual notifications received by the Inspectorate. Following a review, it was found that discrepancies between the monthly complaints returns from the IPS and Category A notifications received by the Inspectorate occurred for a number of reasons:

- Notifications were received by the Inspectorate in January for complaints occurring in December of the previous year;
- Unreported complaints were reported from previous years;
- Notifications were received directly from IPS HQ; and
- Complaints had been re-categorised.

Since 2018 this Office has been reporting on notifications of all categories of complaints received from the IPS and every year discrepancies are identified. The information provided in relation to complaints must therefore be treated with a certain degree of caution.

The requirements of and compliance with Rule 57(B), are summarised in **Table 7**. The information provided in this table is drawn directly from the notifications received from the IPS.

**Table 7: Notification in accordance with Rule 57(B) Prison Rules 2007-2020**

<b>Rule 57(B) Prison Rules 2007 – 2020</b>	<b>Notification Received Relating to 2020</b>	<b>Notification Received Relating to 2019</b>	<b>Notification Received Relating to 2018</b>	<b>Total received in 2020</b>
Notifications of Category A complaints	72	6	12	90
Governor notification to Inspectorate within 7 days of being notified of the complaint [57B(4)]	69	4	0	73
Inspectorate shall be notified of the appointment of the investigator [57B(5)(a)]	2	0	0	2
Complaints deemed by the IPS Director General of the IPS to be vexatious, without foundation, or outside scope of rule and terminated. Inspectorate is notified of the decision and reasons for the decision [57B(5)(b)]	1	0	1	2
Complaints withdrawn by prisoners and Director General decides investigation should be terminated. OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	(a) 3 (b) 3	(a) 6 (b) 6	(a) 0 (b) 0	(a) 9 (b) 9
Complaints that proceeded to Investigation	61	5	11	77
Full investigation reports received by Inspectorate	25	25	0	50
Interim reports submitted to Inspectorate	9	9	0	18
Number of investigation reports received where complaint was grounded or upheld	2	4	0	6

**Table 8: Requirements of and Compliance of Rule 57B**

Rule 57B Prison Rules 2007-2017	% Compliance 2020	% Compliance 2019	% Compliance 2018
Governor notification to Inspector of Prisons within 7 days of being notified of the complaint [57B(4)]	73 (81.11%)	53 (79.10%)	65 (82.27%)
OIP shall be notified of the appointment of the investigator [57B(5)(a)]	2 (2.22%)	20 (29.85%)	0 (0%)
Complaints deemed by the IPS DG to be vexatious, without foundation, or outside scope of rule and terminated. Inspector of prisons is notified of the decision and reasons for the decision [57B(5)(b)]	N=2 2 (100%)	N=1 1 (100%)	N=4 4 (100%)
Complaints withdrawn by prisoners and Director General decides investigation should be terminated. The OIP is (a) advised and (b) the reasons documented [57B(5)(c)]	N=9 (a) 9 (100%) (b) 9 (100%)	N=3 (a) 3 (100%) (b) 3 (100%)	N=7 (a) 7 (100%) (b) 5 (71%)
Complaints that proceeded to investigation	77 (85.55%)	65 (97.01%)	68 (86.07%)
Full investigation reports received by OIP	25 (32.46%)	15 (23.07%)	22 (32.35%)
Investigation reports received within 3 months	2 (3.07%)	1 (1.53%)	0 (0%)
Interim reports submitted to OIP	9 (12%)	2 (3.12%)	0 (0%)
Number of investigation reports received where the complaint was grounded or upheld	2(8%)	5(33.33%)	2(9.09%)

As illustrated in **Table 8**, the Inspectorate received 79.10% to 82.27% of notifications of Category A complaints within seven days of the complaint being brought to the Governor over the three year period. In total in 2020, 17 notifications were received outside the seven day statutory timeframe.

The IPS notified the Inspectorate of the appointment of two investigators in 2020; compliance with this Rule deteriorated in 2020 as compared to 2019 when the Inspectorate received 20 such notifications. The IPS advised the Inspectorate that COVID-19 adversely impacted on the investigation of prisoner complaints, which included delays in appointing investigators due to restrictions imposed on prisoners, prison staff and visitors entering the prisons.

In 2020 and 2019 there was 100% adherence to Rule 57B(5)(b) and 57B(5)(c). The IPS provided reasons why the complaints were deemed vexatious, without foundation, outside of scope and also reasons for any withdrawal.

There were 65 new complaint notifications in the first nine months of 2020. Any complaint made in the final three months of the year would not necessarily be completed within a three month timeframe. In situations where an investigation is not completed within three months of the date of the complaint, the investigator must provide an interim report to the Governor documenting the progress made and the reasons why further time is required to complete the report. The OIP must be provided with a copy of these reports under Rule 57B(10)(a).

Of the 63 cases not completed within the specified three months, the Inspectorate only received nine interim reports. This is a low level of compliance with the law. By way of example, in one particular case for which we received notification of a category A complaint on 16 May 2019, we received a second notification of the same complaint on 20 August 2019 and an investigator was appointed on 24 August 2019. The investigation was shown as ongoing in the 2020 prison monthly returns up to and including July 2020. No interim report was received from the IPS and following enquires made by the Inspectorate we were informed that the investigation concluded on 30 November 2019. We received a summary investigation report on 13 August 2020. By year end receipt of the complete investigation report remained outstanding. This process was not in accordance with Prison Rule 57B.

In July 2020, the Inspectorate received notification from IPS Headquarters that investigators had been appointed to investigate 12 Category A complaints made in Portlaoise Prison, dating back to 2018. The Inspectorate was informed that a review of local procedures in Portlaoise Prison was underway to ensure a similar situation would not occur in the future. The total number of Category A complaints reported by the Inspectorate in our 2018 Annual Report was 79 and should, having regard to the notifications received in 2020, have been 91.<sup>11</sup>

The poor adherence by the IPS to the law in relation to prisoner complaints is concerning. Non-compliance by the IPS render the present operation of the existing system inadequate and unreliable. It is critically important that prisoners, prison staff and the public can have confidence that there exists a robust and fair prisoner complaints system in operation. Regrettably this is not the case, and it is the Inspectorate's view, as expressed in a number of previous Reports, that the current Prison Complaints system is not fit for purpose.

In February 2021, during the course of preparing this report, the IPS informed the Inspectorate that there were currently 13 active investigators available for serious complaints, some of which have limited the prisons or geographical area in which they will serve. The IPS further advised that in 2020 an application was submitted to the Office of Government Procurement (OGP) to run a tender for the recruitment of investigation companies to carry out investigations of serious complaints under Prison Rule 57B. A submission for funding of €400k to cover the costs to carry out the investigations was submitted to the Department of Justice under the 2021 Estimates Process, however, this was not approved. The IPS then commenced engagement with the Department of Public Expenditure and Reform (DPER) in 2020 and proposed to increase the daily rate paid to those who investigate complaints under Prison Rule 57B, as such rates are set by DPER. In January 2021, the IPS was informed that DPER was not in a position to revise the rates at present due to the emerging budgetary position. Therefore, the IPS has informed us that it will be extremely challenging to ensure external investigators are assigned and that investigation into serious complaints are carried out in a timely manner in 2021.

### 4.3 Status of New Prisoner Complaints System

The Inspectorate reported in its 2019 Annual Report the IPS's intention to establish and implement a new Prisoner Complaints System that would be rolled out by the end of 2019.<sup>12</sup> The Inspectorate was again informed during 2020 that it was the intention of the IPS to have the new system operational across the estate by the end of 2020, but that its implementation would be dependent on amending

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<sup>11</sup> See, Annual Report 2018, page 15.

<sup>12</sup> Annual Report, 2019, page 49.



legislation by way of a Statutory Instrument and provision of additional dedicated resources. As of 31 December 2020 the system was not implemented.

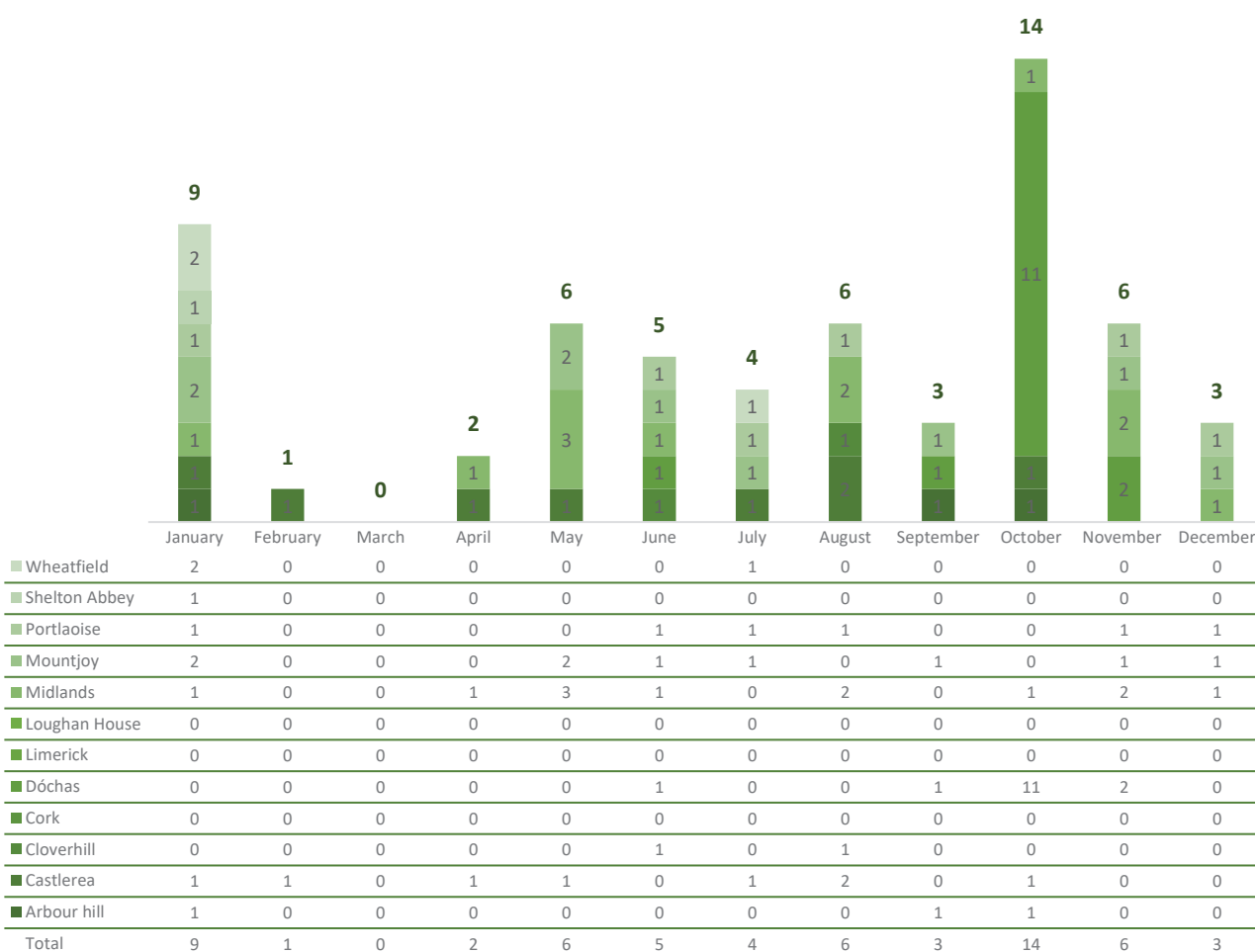
## 5 LETTERS FROM PRISONERS

In accordance with Rule 44(1)(h) of the Prison Rules 2007-2020, a prisoner is entitled to send and receive an unopened letter from the Inspector of Prisons.

In 2020, the Office of the Inspector of Prisons received 59 Rule 44 Letters from prisoners. These letters came from nine prisons, with no letters received from Cork Prison, Limerick Prison or Loughan House.

**Figure 3** provides details of the month each letter was received and from which prison:

**Figure 3: Letters from Prisoners under Rule 44 of the Prison Rules**



**Table 9** provides a comparison of the amount of Rule 44 letters received from each prison in 2020 compared to that of 2019.

**Table 9: Rule 44 Letters, Comparison with previous year**

<b>Place of Detention</b>	<b>Total Letters 2020</b>	<b>Total Letters 2019</b>
Arbour Hill	3	2
Castlerea	8	3
Cloverhill	2	6
Cork	0	0
Mountjoy Women's Prison Dóchas Centre	15	2
Limerick	0	0
Loughan House	0	0
Midlands	12	12
Mountjoy	9	11
Portlaoise	6	8
Shelton Abbey	1	1
Wheatfield	3	1
<b>Total</b>	<b>59</b>	<b>46</b>

## 6 INVESTIGATIONS

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### 6.1 Deaths in Custody

Pursuant to Section 31 (2) of the Prisons Act 2007, the Minister for Justice requested the Inspector to carry out an investigation into each Death in Custody (DiC), including the death of a person within one month of Temporary Release /release on Licence in the community.

The objectives of the Inspectorate DiC investigations are to:

- Establish the circumstances and events surrounding the death, including the healthcare provided by the IPS;
- Examine whether any changes in IPS operational methods, policy, practice or management arrangements could help prevent a similar death in future;
- Ensure that the prisoner's family have an opportunity to raise any concerns they may have, and take these into account in the investigation; and
- Assist the Coroner's investigative obligation under Article 2 of the European Convention on Human Rights, by ensuring as far as possible that the full facts are brought to light and any relevant failing is exposed, any commendable practice is identified, and any lessons from the death are learned.

The Inspectorate was notified of 13 deaths which occurred between 1 January and 31 December 2020; five deaths occurred while the person was on Temporary Release. In respect of the eight deaths which occurred while in prison custody two were in Arbour Hill, two in Limerick, one in Wheatfield, one in Castlerea, one in Cloverhill and one in Cork prison (**Figure 4**).

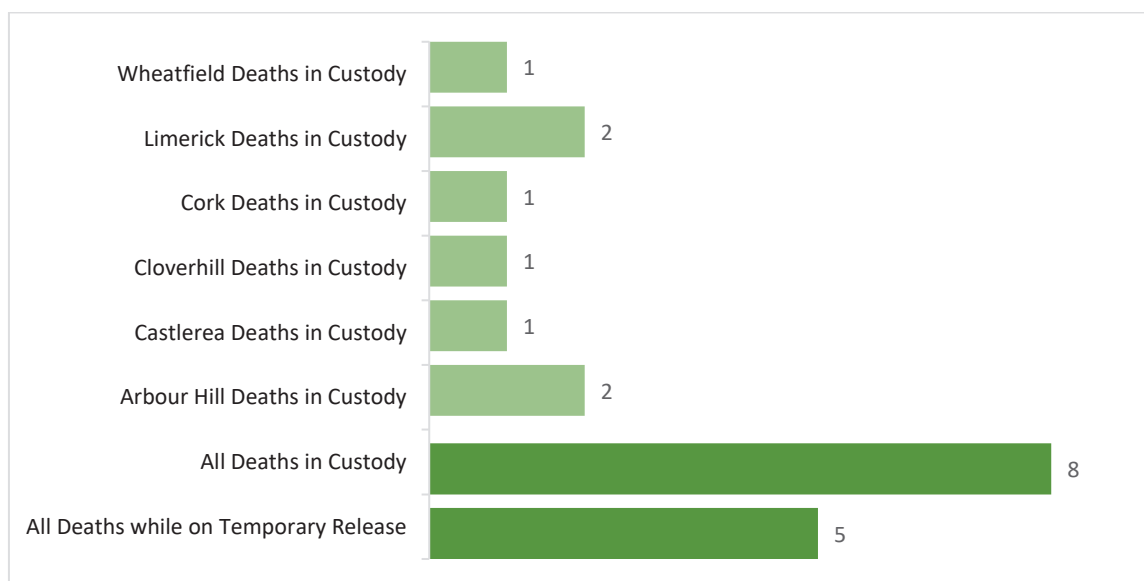
In 2020, there were ten investigation reports published,<sup>13</sup> eight of these were in relation to deaths that occurred in 2018 and two of these deaths occurred in 2019. Of these, the IPS prepared Action Plans in response to recommendations made in eight reports (Appendix 11.3). Two investigation reports did not include recommendations.

**Figure 4** provides a breakdown by prison of the deaths that occurred in 2020, all of whom were male.

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<sup>13</sup> Death in Custody Investigation Reports, <https://www.oip.ie/death-in-custody/death-in-custody-report-by-year-of-publication/>.

**Figure 4: Deaths occurring in 2020 by prison**



Unfortunately, since 2016 there has been a backlog in the drafting of death in custody investigation reports. This situation has been due to insufficient staffing resources. An increase in the 2020 budget allocation allowed for a recruitment of additional resources. This recruitment process commenced in mid-2020 resulting in the establishment of two panels of successful candidates at Senior Inspector and Inspector levels. The first three successful candidates took up duty in November 2020 with the remainder due to commence employment by mid-2021.

## **6.2 Investigation under Section 31(2) at the Minister's request**

In July 2020 the Inspector raised a concern with the Minister. The Minister requested the Inspector to carry out an investigation under Section 31(2) of the Prisons Act 2007. The Terms of Reference were agreed in September 2020. The investigation was ongoing at year end.

## 7 LAUNCH OF THE INSPECTION FRAMEWORK FOR PRISONS IN IRELAND

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On 15 September 2020, the Minister for Justice, Helen McEntee TD, welcomed the publication of the Inspection Framework for Prisons in Ireland.<sup>14</sup> The launch of the Inspection Framework was originally planned for March 2020, but on account of COVID-19 the event was postponed and held virtually.



The Inspection Framework sets out how the Inspectorate will conduct inspections of prisons in Ireland. To this end, the Framework is based on five Focus Areas, measured against three dimensions. The Focus Areas are the major factors which affect, and reflect, the welfare and human rights of prisoners and others working in and visiting prisons: Safety & Security, Respect & Dignity, Rehabilitation & Development, Health & Wellbeing and Resettlement. Dimensions are the overarching and cross-cutting criteria of an inspection. Three Dimensions, Outcomes, Compliance and Environment, will be used to assess each of the Focus Areas. The Focus Areas and the Dimensions will be assessed using measures drawn from a range of sources including legal requirements, best practice and international guidelines.

The Framework for the Inspection of Prisons in Ireland was developed in consultation with a wide range of stakeholders in Ireland and abroad, including the Department of Justice, the IPS, the Department of Education and Skills, non-governmental organisations, Academics, the Council of Europe, academics and other experts.

The Inspectorate will carry out its first inspection visits under the guidance of the Inspection Framework during 2021.

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<sup>14</sup> Inspection Framework for Prisons in Ireland (2020) <https://www.oip.ie/launch-of-the-framework-for-the-inspection-of-prisons-in-ireland/>

## **8 INSPECTION OF PLACES OF DETENTION BILL DRAFT GENERAL SCHEME**

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In 2018, the Inspectorate was invited by the Department of Justice to make a submission on the Inspection of Places of Detention Bill Draft Scheme 2014. The Inspector submitted her views on 20 September 2018. The General Scheme of the Bill was still being drafted at the end of 2020 but it is the Inspectorate's understanding that it is nearing completion. The Department informed the Inspectorate that engagement with the Office would commence in early 2021.

## 9 EXTERNAL ENGAGEMENT

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The Inspectorate availed of a range of opportunities to communicate and engage with stakeholders both within and external to the IPS, including but not limited to the following:

### 9.1 Orientation Visits

The Inspectorate engaged in cross-departmental networking and exchange by conducting orientation visits to Mountjoy Prison and the Dóchas Centre with the Health Information and Quality Authority (HIQA) Chief Inspector of Social Services and Director of Regulation and to Cloverhill Prison with the Inspector of Mental Health Services and the Chief Executive Officer of the Mental Health Commission (MHC).

### 9.2 Events

#### **Instance Nationale pour le Prévention de la Torture Conference**

International Colloquium on Monitoring Places of Deprivation of Liberty in the Context of COVID-19, 18 December 2020. *Attendee*

#### **Zahid Mubarek Trust, University of Bristol and Royal Holloway University of London Webinar**

*Monitoring Places of Detention during the Pandemic*, 17 December 2020. *Participant*

#### **Centre for Crime and Justice Studies Webinar**

*Coronavirus in Prisons: What's happening across Europe?*, 3 December 2020. *Attendee*

#### **Prisons: the Rule of Law, Accountability and Rights (PRILA) Conference**

The PRILA project, based out of the School of Law, Trinity College Dublin, held a conference on the Oversight of Prisons, virtual conference, 26 November 2020. *Panel Discussion Participant*

#### **University of Nottingham and UK Prisons and Probation Ombudsman Webinar**

*Reducing Deaths in Prisons: Learning from Prisoner Lived Experience?*, 3 November 2020. *Attendee*

#### **Fifth Annual Justice Equality Agency Roundtable**

16 September 2020

#### **Launch of the Inspection Framework for Irish Prisons Webinar**

An event to launch the new Inspection Framework, attended by academics, international and national practitioners and representatives from the Department of Justice and the IPS, 15 September 2020.

#### **OHCHR and Association for the Prevention of Torture Conference**

*Combating Torture and Ill-treatment in times of COVID-19: Testimonies from the Ground*, 26 June 2020. *Attendee*



### **Zahid Mubarek Trust (ZMT) and Irish Penal Reform Trust (IPRT) Seminar**

*The Relationship between Civil Society and National Preventive Mechanisms*, an event on coordination efforts between NPMs and civil society, 26 June 2020. *Participant*

### **Roundtable Review of *Ameliorating the Impact of Cocooning of People in Prison***

In draft stage of the *Ameliorating the Impact of Cocooning of People in Prison* report, the Inspectorate hosted a roundtable review of initial findings on 25 June 2020. This event was attended by a range of stakeholders from the IPS, academia and civil society, as well as representatives of the Irish Red Cross, including a Red Cross volunteer in custody. *Inspectorate facilitated event*

### **Department of Justice Launch Event**

Launch of Research Report on Recidivism and Policy Responses, 27 May 2020. *Attendee*

### **European Committee for the Prevention of Torture Video Conference**

Invitation-only event to discuss Inspectorate prison oversight function and activities during COVID-19, 13 May 2020. *Participant*

### **Zahid Mubarek Trust (ZMT) and Irish Penal Reform Trust (IPRT) Seminar**

*Human Rights and Detention in the time of COVID-19: UK and Ireland*, an event attended by prison oversight bodies and academics to discuss detention monitoring during COVID-19, 29 April 2020. *Participant*

### **International Red Cross Webinar**

Event on COVID-19, 15 April 2020. *Attendee*

### **Prisons: the Rule of Law, Accountability and Rights (PRILA) Workshop**

The PRILA project, based out of the School of Law, Trinity College Dublin, held a workshop with participants from the CPT, the Subcommittee on Prevention of Torture (SPT) and other oversight bodies, virtual workshop 2 April 2020. *Attendee*

### **Association for Criminal Justice Research & Development (ACJRD) Seminar**

Event on research from the Building Community Resilience project, 19 March 2020. *Attendee*

### **Peer Mediation Programme Graduation, Castlerea Prison**

Event held in-prison to acknowledge graduates of the Programme, 25 February 2020. *Attendee*

### **Irish Penal Reform Trust (IPRT) Report Launch**

The Inspector attended the launch of and provided a response to the report, *Making Rights Real for People with Disabilities in Prison* on 15 January 2020. *Respondent*

## **9.3 Stakeholder Engagement**

The Office of the Inspector of Prisons continues to work alongside and in dialogue with our delivery Partners, including the Department of Justice, the IPS and other key stakeholders.

Throughout 2020, the Office of the Inspector of Prisons met with a number of stakeholders and interested partners to exchange views and build relationships.

The Inspectorate presented to Recruit Prison Officers on three occasions, January, April and June 2020, about the role and function of the Office of the Inspector of Prisons.

The Inspectorate participated in meetings with:

- Department of Justice officials;
- IPS Director General and Senior Management;
- The Health Information and Quality Authority (HIQA);
- Prisons: the Rule of Law, Accountability and Rights (PRILA);
- Irish Council for Civil Liberties;
- University of Limerick, School of Law;
- Maynooth University, School of Law;
- Inspectorate – Department of Education;
- Care After Prison;
- Irish Penal Reform Trust (IPRT);
- Traveller in Prison Initiative Programme Co-ordinator;
- International Network for Oversight Bodies;
- European Committee for the Prevention of Torture (CPT).

## 9.4 Publications

The Inspectorate developed and published a number of commentary pieces in 2020. These are:

- P. Gilheaney 'Monitoring of Prisons during the COVID-19 Pandemic' (June 2020) PRILA Ask an Expert Blog Series. <https://prilatcd.wordpress.com/june-2020/>
- P. Gilheaney 'Effective Prison Oversight and Independence in Ireland (March 2020) 4 Networks Working Together: External Prison Oversight and Human Rights, 13-17.

## 10 CORPORATE INFORMATION

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### 10.1 Financial Information

The Office of the Inspector of Prisons is funded under the Justice Vote (Vote 24), for which the Secretary General is Accounting Officer. In 2020, the Office received a budget allocation of €1.2m. There was a saving of €562,000 at year end. The bulk of the saving was in the pay subhead which amounted to €403,000 which was due to the prolonged recruitment process with only three additional resources taking up employment in November 2020. Savings in non-pay expenditure amounted to €159,000 as the forecasted costs for travel and subsistence and other non-pay costs did not materialise.

	2020 Budget Allocation	2020 Actual Outturn	Saving (+) Overrun (-)
Pay	€824,000	€421,000	+ €403,000
Non-Pay	€376,000	€217,000	+ €159,000
Total	€1,200,000	€638,000	+ €562,000

### 10.2 Protected Disclosures

As the Office of the Inspector of Prisons is an executive office under the aegis of the Department of Justice the Inspectorate has adopted the Protected Disclosures Policy of the Department as its policy on protected disclosures in the workplace. In line with the reporting requirements, it is confirmed that there were no protected disclosure reports received in 2020.

### 10.3 Public Sector Equality and Human Rights Duty

The Office of Inspector of Prisons embraces and is committed to ensuring it fulfils its responsibilities under Section 42 of the Irish Human Rights and Equality Commission Act 2014, which places a positive obligation on public bodies to have, in the performance of their functions, regard to the need to eliminate discrimination, promote equality of opportunity and protect the human rights of staff and the persons to whom services are provided. Accordingly, in 2020, the Office of the Inspector of Prisons placed this duty at the centre of its activities.

### 10.4 Governance and Internal Controls

The Office of the Inspector of Prisons is a statutory office established under the Prisons Act 2007. The Inspector is appointed by the Minister for Justice and is independent in the performance of her functions.

During the course of 2020 the Inspector of Prisons liaised with the Department of Justice to establish an Oversight Agreement, in accordance with the Code of Practice for the Governance of State Bodies (2016). The Agreement was agreed on 26 May 2020 and sets out the broad governance and

accountability framework within which the Inspectorate operates. The Agreement defines the key roles and responsibilities which underpin the relationship between the Inspectorate and the Department.

The “comply or explain” provision of the *Code of Practice for the Governance of State Bodies (2016)* has been applied to the Office of Inspector of Prisons. As the Office falls under the Justice Vote (Vote 24), it does not have its own Internal Audit Unit or Audit and Risk Committee. Furthermore, it is not required to produce Annual Financial Statements. The Office has access to the Department’s Internal Audit and Internal Audit and Risk Committee in relation to financial governance. The Department’s Financial Management Unit reports on the Office’s income and expenditure in its monthly management reports. The monthly reports are reviewed by the Inspector and procedures are in place to ensure expenditure is authorised in accordance with the Department’s policies and procedures. The Office is compliant with tax law obligations.

All Irish public bodies are obliged to treat public funds with care, and to ensure that the best possible value for money is obtained whenever public money is being spent or invested. The Public Spending Code is the set of rules and procedures that ensure that these standards are upheld across the Irish public service. The Office of the Inspector of Prisons has adhered to all relevant aspects of the Public Spending Code.

A renewed Service Level Agreement was signed on 19 February 2020 between the Office of the Inspector of Prisons and the Information Management & Technology (IM&T) Division in the Department of Justice. The Service Level Agreement outlines the provision of ICT services by the IM&T Division to the Office of the Inspector of Prisons. A renewed Data Processing Agreement was also signed between the parties on 19 February 2020.

The Code of Governance for State Bodies 2016, requires the provision of a Statement of Internal Controls (SIC). The SIC applies to all controls operating in the Office of the Inspector of Prisons, including ICT matters. On 4 February 2020, the IM&T Division in the Department of Justice confirmed that to the best of their knowledge and belief, adequate ICT controls, as set out in a Statement of Assurance, are in place and operating effectively.

The Office of the Inspector of Prisons has developed a Risk Management System and associated Risk Register which is kept under continuing review. The Risk Register sets out current controls to mitigate risks and actions to improve controls. An updated copy of the Risk Register was provided to the Department of Justice in 2020.

Procurement undertaken by the Office in 2020 was carried out following consultation with departmental officials and in accordance public procurement guidelines.

## 10.5 Freedom of Information

In 2020, the Office of the Inspector of Prisons received three requests under the Freedom of Information Act 2014. All of the requests received were in respect of non-personal information. One of the requests was partially granted. Final decisions in relation to two of the requests remained outstanding by year end. No cases were appealed to the Office of the Information Commissioner.

# 11 APPENDICES

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## 11.1 Call Template

### OVERSIGHT DURING COVID-19 – CONTACT WITH PRISON GOVERNORS GENERAL POPULATION

DATE \_\_\_\_\_ WHO MADE CALL \_\_\_\_\_  
PRISON \_\_\_\_\_ GOVERNOR CONTACTED \_\_\_\_\_

Questions	NUMBER	ANSWERS
Is the prison regime different since Covid-19?		
What is the out of cell time for the general population		
Are all prisoners getting time out in the fresh air		
Access to any workshop <ul style="list-style-type: none"><li>• Gym</li><li>• Yard</li><li>• Landing</li><li>• Rec area</li><li>• Other (specify)</li></ul>		

### PRISONERS IN ISOLATION

ISOLATION	NUMBER	ADDITIONAL INFORMATION
Number in isolation		
Reason(s) for isolation i.e. <ul style="list-style-type: none"><li>• Committal</li><li>• Quarantine</li><li>• Cocooned</li><li>• Other</li></ul>		
Number of prisoners swabbed for Covid-19 testing?		
Results received? <ul style="list-style-type: none"><li>• Negative</li><li>• Positive</li></ul>		

<b>Results awaited?</b>		
<b>What restrictions are in place in relation to opening of cell doors?</b>		
<b>Please specify out of cell time and access to fresh air available daily</b>		
<b>If offered, are prisoners availing of out of cell time?</b> <b>If declined, what reason(s) is provided?</b>		
<b>What does this entail</b> <ul style="list-style-type: none"> <li>• Yard exercise (is it an option)?</li> <li>• Landing?</li> </ul>		
<b>How are meals provided?</b> <ul style="list-style-type: none"> <li>• Handed into cell</li> <li>• Collection point</li> </ul>		
<b>How is access to the following services facilitated?:</b> <ul style="list-style-type: none"> <li>• Chaplaincy</li> <li>• Psychology</li> <li>• Psychiatry</li> <li>• Other supports – specify</li> </ul>		
<b>How is access permitted?</b> <ul style="list-style-type: none"> <li>• Social distance applied</li> <li>• Through the door</li> <li>• Tetra</li> <li>• Other (listeners, Samaritans etc)</li> </ul>		
<b>How frequently is the person's temperature checked?</b>		
<b>How are prisoners provided with prescribed medication?</b>		
<b>Have they access to the Tuck Shop? If yes:</b> <ul style="list-style-type: none"> <li>• Frequency,</li> <li>• Method e.g. Bag and Tag</li> </ul>		
<b>Phone calls. Are the phone calls based on the prisoners IR level?</b> <ul style="list-style-type: none"> <li>• Frequency</li> <li>• How <ul style="list-style-type: none"> <li>○ In-cell phone</li> </ul> </li> </ul>		

<b>What records are made and retained on those in isolation?</b>		
<b>Is PPE available :</b> <b>Is it used?</b> <b>In what circumstances?</b>		
<b>Specify any additional arrangements introduced during COVID-19 pandemic?</b>		
<b><u>ANY ISSUES OF CONCERN?</u></b>		

### **PRISONERS COCOONED**

<b>COCOONED</b>	<b>NUMBER YES/NO</b>	<b>ADDITIONAL INFORMATION / DETAILS</b>
<b>Number cocooned</b> <ul style="list-style-type: none"> <li>• Landing</li> <li>• Wing</li> </ul>		
<b>What 'out of cell time' is provided?</b>		
<b>Get details</b> <ul style="list-style-type: none"> <li>• How much out of cell time is offered daily?</li> <li>• What does out of cell entail? <ul style="list-style-type: none"> <li>○ Yard exercise (is it an option)</li> <li>○ Landing</li> <li>○ Gym</li> <li>○ Library</li> <li>○ Rec Room</li> <li>○ Other</li> </ul> </li> </ul>		
<b>How are meals provided?</b> <ul style="list-style-type: none"> <li>• Handed into cell</li> <li>• Central collection</li> </ul>		
<b>How are prisoners provided with prescribed medication?</b>		
<b>How is access to the following services facilitated?</b> <ul style="list-style-type: none"> <li>• Chaplaincy</li> <li>• Psychology</li> <li>• Psychiatry</li> <li>• Other supports – specify</li> </ul>		
<b>How is access to social interaction permitted?</b>		

<ul style="list-style-type: none"> <li>• Social distance applied</li> <li>• Through the door</li> <li>• Tetra</li> <li>• Other (listeners, Samaritans etc)</li> </ul>		
<b>How is access to Tuck shop orders facilitated?</b> <ul style="list-style-type: none"> <li>• Frequency</li> <li>• Bag and Tag?</li> </ul>		
<b>Are phone calls facilitated?</b> <b>If a prisoner is on the standard or basic regime is s/he limited to the same number of calls that s/he had access to prior to cocooning?</b> <ul style="list-style-type: none"> <li>• Frequency of call</li> </ul>		
<b>How are records made and retained relating to persons being 'cocooned'</b>		
<b>Is PPE available if required?</b>		
<b>Any issues of concern?</b>		



## 11.2 S.I. 250/2020 - Prison (Amendment) Rules 2020

Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 21st July, 2020.

I, HELEN MCENTEE Minister for Justice and Equality, in exercise of the powers conferred on me by section 35 of the Prisons Act 2007 (No. 10 of 2007) (as adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 ( S.I. No. 138 of 2011 )), hereby make the following rules:

1. (1) These Rules may be cited as the Prison (Amendment) Rules 2020.

(2) The Prison Rules 2007 to 2018 and these Rules may be cited together as the Prison Rules 2007 to 2020.

(3) These Rules shall come into operation on 20th July 2020.

2. In these Rules "Principal Rules" means the Prison Rules 2007 ( S.I. No. 252 of 2007 ).

3. The Principal Rules are amended by the insertion of the following rule after Rule 32:

"32A (1) Where the Director General is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 ( S.I. No. 390 of 1981 ) within a prison, he or she may direct the Governor of that prison to –

(a) suspend the entitlement to physical recreation, exercise or training under Rule 32, or

(b) restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements, for a specified period or periods.

(2) Where the Governor is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 ( S.I. No. 390 of 1981 ) within his or her prison, subject to any direction made by the Minister or the Director General, he or she may –

(a) suspend the entitlement to physical recreation, exercise or training under Rule 32, or

(b) restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements, for a specified period or periods."

4. The Principal Rules are amended by the insertion of the following rule after Rule 36:

"36A (1) Where the Director General is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 ( S.I. No. 390 of 1981 ) within a prison, he or she may direct the Governor of that prison to –

(a) suspend the entitlement to visits under Rule 35, or

(b) restrict or modify the entitlement to visits under Rule 35, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits, for a specified period or periods.

(2) Where the Governor is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in

accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 ( S.I. No. 390 of 1981 ) within his or her prison, subject to any direction made by the Minister or the Director General, he or she may-

(a) suspend the entitlement to visits under Rule 35, or

(b) restrict or modify the entitlement to visits under Rule 35, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits, for a specified period or periods.”.

/images/ls

GIVEN under my Official Seal,

16 July, 2020.

HELEN MCENTEE,

Minister for Justice and Equality.

#### EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This order amends the Prison Rules 2007 ( S.I. No. 252 of 2007 ).

## 11.3 IPS Action Plans in Response to Death in Custody Investigation Report Recommendations, published in 2020

The Inspectorate published ten Deaths in Custody investigation reports in 2020; eight of which required the development of IPS Action Plans in response to recommendations made by the Inspectorate. The IPS Action Plan action points **with ongoing or incomplete status** as of submission of the report to the Minister are provided below with a confirmation of status on 31 December 2020. Of the eight IPS Action Plans, seven had recommendations ongoing or incomplete at the time of submission of the report.

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr O 2018, which was published on 27 November 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 5:</b> Prisoner information in relation to external and internal movements should be contemporaneously entered into the PIMS. [section 2.39]	The Irish Prison Service will remind all prisons of their obligations to record all incidents and of the importance of recording incidents promptly and accurately on both the paper and electronic systems.	Corporate Services	September 2020	Complete
<b>Recommendation 7:</b> The IPS should ensure that internal communication is at all times respectful and appropriate action taken when this standard is not reached. The development of a Code of Ethics for all IPS personnel (senior management and staff in HQ and prisons) should be expedited for completion and subsequent implementation at the earliest opportunity.	The new Code of Ethics will be circulated to all staff by 10 January 2020 with a notice from the Director General advising staff of the implementation of same. An accompanying awareness programme is currently being developed and will be delivered to all staff, commencing February 2020.	Corporate Services	February 2020 (delay due to COVID-19, expected completion by year end)	The Code of Ethics draft material was finalised in 2019 and is being reviewed for publication.  A communications and implementation plan is being developed to support publication of the document.
<b>Recommendation 10:</b> A Critical Incident meeting should take place as soon as possible after a death in custody. [sections 3.3 / 3.4]	The Operations Directorate have a draft Critical Incident Management Booklet which is currently being developed. This booklet will address the recommendation of the Inspector.	Operations	Q3 2020	Complete
<b>Recommendation 11:</b> The IPS Critical Incident Policy should be reviewed and consideration given to the inclusion of a cold debrief within 14 days of an incident to provide further opportunity for everyone involved, including prisoners where relevant. The purpose should be to identify learning, support everyone involved and assess progress in relation to actions that were identified at the hot debrief, ie. the debrief as soon as possible after the incident occurred. [sections 3.3 / 3.4]	The Operations Directorate have a draft Critical Incident Management Booklet which is currently being developed. This booklet will address the recommendation of the Inspector.	Operations	Q3 2020	Complete

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr I 2018, which was published on 12 August 2020**

<b>Recommendation</b>	<b>Action(s) Required</b>	<b>Person(s) Responsible</b>	<b>Date for Completion</b>	<b>Status on 31/12/2020</b>
<b>Recommendation 1:</b> The IPS should instruct all staff that their written records and verbal evidence in respect of Deaths in Custody and other significant incidents must be fully detailed and specific in relation to all factual aspects of the event including timings and job roles. [Preface]	The Irish Prison Service will remind all staff of their obligations to record all incidents and of the importance of recording incidents promptly and accurately on both the paper and electronic systems.	Corporate Services	Q2 2020	Complete.  Also, information and good practice on report writing has been published on the intranet as a guide.
<b>Recommendation 3:</b> The IPS should satisfy itself about the competence of all staff involved in this failure to follow the doctor's orders and take any action necessary to ensure there is no repeat in any prison establishment. [Para 2.43]	Informative sessions took place following the DiC as a learning exercise. Following this, an Email group was established for nursing staff to communicate referral to relevant disciplines. The "Referral to hospital form" was implemented as part of the policy and this is transmitted via email to the Detail office/Chiefs office.  <i>This email group system is to be replicated in all prisons.</i>	Care and Rehabilitation Directorate	End June 2020	Complete
<b>Recommendation 6:</b> The IPS Protocol for Chaplaincy and Next of Kin Notification dated 25/05/2017 at Section 2.3 makes provision for informing next of kin in cases of grave illness. The IPS should monitor implementation of the Protocol and take appropriate action if there is non-compliance. [Para 3.18]	The Chaplaincy group met on 5th September 2019, reviewed the policy and recommended some changes. These recommendations will be addressed by the newly appointed Head Chaplain to ensure that the policy is fully implemented.	Care and Rehabilitation Directorate	Q2 2020	Complete* *The protocol is being implemented, but a Prison Chaplain may not always be available immediately when deaths occur out of hours
<b>Recommendation 7:</b> The IPS should apply the following rationale for Critical Incident Reviews: "The purpose is to provide staff and any prisoners who were involved with an opportunity to share views in relation to how the situation was managed, and identify any additional support or learning that could have assisted." Critical Incident Reviews should therefore be arranged to facilitate the attendance of those who were centrally involved, including prisoners, carers and staff from support agencies	Operations are in the process of developing a Critical Incident Procedures Manual, which will cover, inter alia, Critical Incident Planning, Production of Critical Plans, post incident procedures and investigations and debriefing.	Operations Directorate	End June 2020	Complete
<b>Recommendation 8:</b> Critical Incident Review minutes should reflect action points and responsibilities so that all relevant personnel understand what is required. This is especially true when key players did not attend the Review. [Para 3.32]	Operations are in the process of developing a Critical Incident Procedures Manual which will cover, inter alia, Critical Incident Planning, Production of Critical plans, post incident procedures and investigations and debriefing.	Operations Directorate	End June 2020	Complete
<b>Recommendation 9:</b> The IPS should ensure all referrals to outside hospital are prioritised when a doctor designates them as "Urgent". [Para 3.35]	An email group has been established to ensure that all relevant disciplines are aware of the transfer and the timeframe that is recommended. Once an email has issued there is a follow up phone call to the Chief's Office and the Detail Office to relay the relevant information.	Care and Rehabilitation Directorate	End June 2020	Complete

	<i>This email group system will be replicated in all prisons.</i>			
<b>Recommendation 10:</b> The IPS should ensure that all staff are cared for after a critical incident, including those who are experienced and appear to cope well at the time. [Para 3.39]	The Irish Prison Service has committed in its Strategic Plan 2019 to 2022 to developing a Staff Wellbeing Strategy to raise awareness among staff of mental, emotional and physical health issues and to promote the positive physical and mental health of all employees	Human Resources Directorate	On-going	Ongoing
<b>Recommendation 11:</b> The IPS should consider the introduction of a 'cold debrief' within 14 days of a critical incident to provide further opportunity for everyone involved, including prisoners where relevant. The purpose should be to identify learning, support everyone involved and assess progress in relation to actions that were identified at the 'hot debrief'. [Para 3.40]	Operations are in the process of developing a Critical Incident Procedures Manual which will cover, inter alia, Critical Incident Planning, Production of Critical plans, post incident procedures and investigations and debriefing.	Operations Directorate	End June 2020	Complete

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr K 2018, which was published on 10 August 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 8:</b> The IPS should review its external contracts to ensure they are fit for purpose and delivering against all requirements. Those that impact upon safety and security should be prioritised.	The Building Services Division of the Finance and Estates directorate holds regular meetings with the service provider of the CCTV maintenance contract to address any non-performance/ issues / programming. In addition, ongoing investment in technology is due to take place to assist in the notification of faults via an early warning display for managers and users.	Estates Directorate	On-going	Ongoing
<b>Recommendation 9:</b> A cold debrief should be conducted within 14 days of the incident to provide further opportunity for everyone involved, including prisoners where relevant. The purpose should be to identify learning, support everyone involved and assess progress in relation to actions that were identified at the hot debrief.	Operations are in the process of developing a Critical Incident Procedures Manual which will cover, inter alia, Critical Incident Planning, Production of Critical plans, post incident procedures and investigations and debriefing.	Senior Management Operations	End June 2020	Complete
<b>Recommendation 10:</b> The IPS should ensure all staff are cared for after a critical incident, including those who are experienced and appear to cope well at the time.	The Irish Prison Service has committed in its Strategic Plan 2019 to 2022 to developing a Staff Wellbeing Strategy to raise awareness among staff of mental, emotional and physical health issues and to promote the positive physical and mental health of all employees.	HR Directorate	On-going	Ongoing

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr H 2018, which was published on 29 July 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 1:</b> The IPS should ensure that minutes of important meetings, such as Critical Incident Reviews, should identify significant facts such as dates, times, role and responsibilities as well as personnel who did not attend, with explanations. The recommendations should allocate responsibility and timescales.	The Operations Directorate have a draft Critical Incident Management Booklet which is currently being developed. This booklet will address the recommendation of the Inspector.	Operations Directorate	End June 2020	Complete
<b>Recommendation 2:</b> A 'hot debrief' following a critical incident is held in prisons on a custom and practice basis. Therefore, the IPS should prioritise the development of a Critical Incident Policy to ensure a consistency of approach in all prisons. The policy should include (and not limited to) debriefings post critical incident. In addition to a 'hot debrief' (on the day or night of the incident as applicable) consideration should be given to the inclusion of a cold debrief within 14 days of the incident to provide further opportunity for everyone involved, including prisoners where relevant. The purpose should be to identify learning, support everyone involved and assess progress in relation to actions that were identified at the hot debrief.	The Operations Directorate have a draft Critical Incident Management Booklet which is currently being developed. This booklet will address the recommendation of the Inspector.	Operations Directorate	End June 2020	Complete

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr P 2018, which was published on 8 May 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 1:</b> The IPS should consider introducing a policy that would require written consent by a prisoner to confirm their wish not to be resuscitated. Appropriate safeguards should be put in place to ensure that such consent is fully informed and provided freely.	The IPS are in the process of developing an End of Life Care Policy which includes the issue of resuscitation as appropriate. Prisoners are given opportunities to engage in advanced planning where each prisoner is provided with appropriate information to make informed decisions and supported by someone who understands the complexities of the process as well as the clinical implications of the decisions. It is important to note that health care professionals in the IPS are also subject to the End of Life Care Guidelines as set by their Professional Bodies.	John Devlin, IPS Clinical Lead	Q1 2020	End of Life Care Policy has been drafted and now circulated for consultation

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr A 2018, which was published on 8 January 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 1:</b> Officers when unlocking prisoners after periods of lock-back should verbally communicate with the prisoner and ensure they receive a verbal response to verify that s/he is well and not in need of medical attention.	To be presented to the SPG on 18/19 September for discussion about practicality of implementation.	Director of Operations	For discussion 18/19 September	Complete

**IPS Action Plan, with update on the status of the Actions provided by the IPS as of 31 December 2020, in respect of recommendations made in the investigation report into the circumstances surrounding the death of Mr N 2018, which was published on 8 January 2020**

Recommendation	Action(s) Required	Person(s) Responsible	Date for Completion	Status on 31/12/2020
<b>Recommendation 1:</b> IPS should consider reviewing the procedures for notification to An Garda Síochána of persons granted RTR and ensure that agreed procedures are implemented.	The IPS have arranged a meeting with An Garda Síochána for November 22 <sup>nd</sup> (2018) and as part of this meeting we intend to discuss the recommendation in detail.	Senior Management IPS/ A An Garda Síochána	Time frame will be advised following discussions with An Garda Síochána	Complete



OIFIG AN CHIGIRE PRÍOSÚN  
OFFICE OF THE INSPECTOR OF PRISONS

# TUARASCÁIL BHLIANTÚIL 2020



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# RÉAMHRÁ

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A Aire,

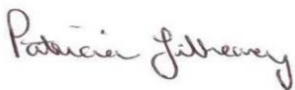
Is cúis áthais dom an deichiú Tuarascáil Bhliantúil ón gCigire Príosún ó bunaíodh an Oifig ar bhonn reachtúil in 2007 a chur faoi do bhráid. Tríd an tuarascáil seo, cuirtear tú ar an eolas maidir lenár ngníomhaíochtaí sa bhliain 2020.

Mar thoradh ar mhéadú inár leithdháileadh buiséid don bhliain 2020, bhíomar in ann dul ar aghaidh le baill foirne breise a earcú. Le cúnamh ó oifigigh do Roinnse agus oifigigh na Seirbhíse um Cheapacháin Phoiblí, chuireamar fáilte roimh chomhghleacaithe nua i mí na Samhna agus mí na Nollag agus táimid ag súil le baill foirne breise eile i dtús na bliana 2021.

Le linn na bliana, leanamar dár ngníomhaíochtaí maoirseachta príosúin in ainneoin na ndúshlán a bhí i gceist mar gheall ar an bpaindéim COVID-19. Cuirtear forléargas ar fáil sa tuarascáil seo ar na saincheisteanna barrthábhachtacha a d'aithníomar i gcaitheamh na bliana.

Ar an drochuair, tháingamar ar an tuairim arís i mbliana nach bhfuil Córas Gearáin Príosúnach Sheirbhís Phríosúin na hÉireann oiriúnach don fheidhm. Is é seo an tríú bliain as a chéile a bhfuil aird tarraingthe air seo. Tá córas gearáin éifeachtach ina uirlis bhunriachtanach in armlón na gcosaintí um chearta an duine. Ní mór córas gearáin éifeachtach a thabhairt isteach a aithint mar thosaíocht gnímh.

Ba mhaith liom buíochas a ghlacadh le mo chomhghleacaithe san Oifig as a dtacaíocht leanúnach i gcaitheamh na bliana. Ba mhaith liom buíochas a ghlacadh chomh maith le d'oifigigh sa Roinn Dlí agus Cirt as a dtacaíocht a thabhairt don ról bunriachtanach a chuirimid i gcrích.



Patricia Gilheaney  
An Cigire Príosún  
15 Márta 2021

# GLUAIS

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Acht	Acht na bPríosún 2007
CCTV	Teilifís Ciorcaid Iata
CPT	An Coiste Eorpach chun Céastóireacht agus Íde nó Pionós atá Mídhaonna a Chosc
DiC	Bás faoi Choimeád
DPER	An Roinn Caiteachais Phoiblí agus Athchóirithe
HSE	Feidhmeannacht na Seirbhíse Sláinte
ICT	Teicneolaíocht Faisnéise agus Chumarsáide
IM&T	Bainistíocht Faisnéise & Teicneolaíochta
Cigireacht	Oifig an Chigire Príosún
IPS	Seirbhís Phríosúin na hÉireann
IPS HQ	Ceanncheathrú Sheirbhís Phríosúin na hÉireann
Aire	An tAire Dlí agus Cirt
NPHE	Foireann Náisiúnta Éigeandála Sláinte Poiblí
OGP	An Oifig um Sholáthar Rialtais
OIP	Oifig an Chigire Príosún
PIMS	Córas Bainistíochta Faisnéise Príosúnach
PPE	Trealamh Cosanta Pearsanta
RTR	Scaoileadh Sealadach In-athbhreithnithe
SPG	An Grúpa Straitéise agus Beartais
SPT	An Fochoiste um Chéastóireacht a Chosc
WHO	An Eagraíocht Dhomhanda Sláinte

# 1 INTREOIR

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## 1.1 Feidhmeanna Oifig an Chigire Príosún

Bunaíodh Oifig an Chigire Príosún i mí Eanáir 2007 de bhun Alt 30 d'Acht na bPríosún 2007 ("An tAcht"). An tAire Dlí agus Cirt a cheapann an Cigire Príosún chun na feidhmeanna a thugtar di i gCuid 5 den Acht a chomhlíonadh. Is í Patricia Gilheaney an Cigire reatha agus ceapadh í an 7 Bealtaine 2018 ar feadh téarma oifige cúig bliana faoi réir fhorálacha Alt 30 den Acht. Tá an Cigire Príosún neamhspleách agus í i mbun a cuid feidhmeanna.

Is é bunfheidhm aon fhorais cigireachta cigireachtaí a dhéanamh agus is amhlaidh an cás maidir le ról an Chigire Príosún. Le hAlt 31(1) den Acht leagtar oibleagáid ar an gCigire Príosún cigireachtaí rialta a dhéanamh ar phríosúin. Cé nach bhfuil sainmhíniú sa reachtaíocht ar 'cigireachtaí rialta', de réir an chleachtais idirnáisiúnta is iondúil san earnáil seo go ndéantar cigireacht iomlán gach trí bliana.

Le cois cigireachtaí, d'fhéadfadh an tAire Dlí agus Cirt iarraidh ar an gCigire Príosún fiosrúchán a dhéanamh ar aon ghnó a d'éireodh as bainistiú nó feidhmiú príosúin, agus má iarrtar, tá sé d'oibleagáid uirthi an fiosrúchán a dhéanamh. D'fhéadfadh an Cigire fiosrúchán a dhéanamh as a stuaim féin.

Is é seo a leanas ról an Chigire Príosún:

- Cigireacht a dhéanamh ar na 13 phríosún uile in Éirinn ar bhonn rialta (tá ceann amháin dúnta go sealadach ó bhí Bealtaine 2017 ann i gcomhair athfheidhmiú agus athchóiriú);
- Fiosrúcháin a dhéanamh faoi bhás daoine faoi choimeád agus bás aon duine atá ar scaoileadh sealadach a tharlaíonn laistigh de mhí amháin dá scaoileadh saor;
- Fiosrúchán a dhéanamh a iarrann an tAire Dlí agus Cirt ar aon ghnó a d'éireodh as bainistiú nó feidhmiú príosúin;
- Litreacha ó phríosúnaigh a fháil agus iad a fhreagairt de réir Riall 44 de na Rialacha Príosún 2007-2020;
- Maoirseacht a dhéanamh ar chóras gearáin príosúnach Sheirbhís Príosún na hÉireann agus dul i mbun na bhfeidhmeanna atá sannta de bhun Riall 57B de Rialacha na bPríosún 2007-2020;
- Ní feidhm de chuid an Chigire é gearán príosúnach aonair a fhiosrú nó breith a dhéanamh air, ach féadann sí na cúinsí a bhaineann le gearán príosúnaigh a scrúdú más gá agus í i mbun a cuid feidhmeanna (Alt 31(6) d'Acht na bPríosún 2007).

Níl d'údarás reachtúil ag an gCigire Príosún tuarascálacha cigireachta, tuarascálacha fiosrúcháin ná tuarascálacha bliantúla a fhoilsiú. Ar aon dul le hAilt 31 nó 32 den Acht, faoi mar is infheidhme, a luaite agus is praiticiúil i ndiaidh tuarascáil a fháil ón gCigire Príosún, caithfidh an tAire, faoi réir na caveat a leanas, an tuarascáil a chur faoi bhráid dhá Theach an Oireachtais agus a fhoilsiú.

Féadann an tAire aon ghnó sa tuarascáil atá le cur faoi bhráid Thithe an Oireachtais a fhágáil ar lár más dóigh leis/léi:

1. D'fhéadfadh a nochtadh dul i bhfeidhm go diúltach ar shlándáil an phríosúin nó an Stáit, nó
2. I ndiaidh dul i gcomhairle le hArd-Rúnaí an Rialtais, dá nochtfaí é

- a. nach mbeadh sé chun leasa an phobail, nó
- b. go bhféadfadh sé cearta bunreachta duine ar bith a shárú.

Nuair a fhágtar aon ní ar lár ar an gcaoi seo, ní mór a leithéid de ráiteas a cheangal leis an tuarascáil atá i gceist nuair a chuirtear faoi bhráid dhá Theach an Oireachtais é agus nuair a fhoilsítear é.

## 1.2 Comhdhéanamh Oifig an Chigire Príosún

Bhí cúigear baill foirne, an Cigire Príosún san áireamh, in Oifig an Chigire Príosún ar feadh fhormhór na bliana. I ndeireadh na bliana 2020, méadaíodh an Oifig go dtí ochtar baill foirne, an Cigire Príosún san áireamh (An Príomhchigire). Leagtar amach thíos miondealú ar na baill foirne a raibh ceangal acu leis an Oifig idir an 1 Eanáir agus an 31 Nollaig 2020.

### An 1 Eanáir 2020

#### An Cigire Príosún

Patricia Gilheaney

#### Príomhoifigeach

Helen Casey

#### Oifigeach Riaracháin

Fiona Feeney

#### Ardoifigeach Feidhmiúcháin

Le líonadh ó mhí Mheán Fómhair 2018

#### Oifigeach Feidhmiúcháin (Téarma Seasta)

John Byrne

#### Oifigeach Feidhmiúcháin

Ross Donegan

#### Oifigeach Cléireachais

Le líonadh ó mhí Bealtaine 2019

### An 31 Nollaig 2020

#### An Príomhchigire Príosún

Patricia Gilheaney

#### Cigire Sinsearach

Helen Casey

#### Cigire Sinsearach

An Dr Ciara O'Connell (Nollaig 2020)

#### Cigire

John Byrne (Meán Fómhair 2020)

#### Cigire

Fiona O'Dea (Samhain 2020)

#### Anailísí Sonraí

An Dr Douglas Nanka-Bruce (Samhain 2020)

#### Oifigeach Riaracháin

Fiona Feeney

#### Oifigeach Feidhmiúcháin

Ross Donegan

## 2 FORLÉARGAS AR PHRÍOSÚIN 2020

Cuireadh forléargas cuimsitheach maidir le príosúin in Éirinn ar fáil i dTuarascáil Bhliantúil Oifig an Chigire Príosún 2019, inar tugadh achoimre ar chúram sláinte, réimeanna teoranta, tionscnaimh cháilíochta, gníomhaíochtaí fiúntacha agus dúshlán oibríochtúla i measc nithe eile i ngach príosún. Sa bhliain 2020, dhírigh an Chigireacht ar thionchar COVID-19 i bpríosúin na hÉireann a thaifeadadh agus a iniúchadh. San Fhorléargas ar Phríosúin 2020 seo, cuirtear faisnéis ar fáil maidir le heastát na bpríosúin i gcoitinne, d'fhonn aird a dhíriú ar athruithe sa daonra príosún agus ar na hiarrachtaí a rinneadh chun aghaidh a thabhairt ar scaipeadh COVID-19 in eastát na bpríosúin.

### 2.1 Daonra na bPríosúin

Sa bhliain 2020, tháinig athrú i ndaonra na bpríosúin foriomlán mar thoradh ar iarrachtaí a rinne IPS daonra na bpríosúin a laghdú mar bheart chun scaipeadh COVID-19 a chosc. I **bhFíor 1**, taifeadtar daonra na bpríosúin de réir mar a bhí sé ar an 1 Eanáir, ar an 12 Márta, ar an 27 Márta (tús na chéad dianghlasála), ar an 13 Aibreán, ar an 29 Meitheamh (deireadh na chéad dianghlasála), ar an 21 Deireadh Fómhair (tús an dara dianghlasáil), ar an 1 Nollaig (deireadh an dara dianghlasáil) agus ar an 31 Nollaig 2020.

**Fíor 1: Líon na nDaoine faoi Choimeád de réir an Phríosúin le linn 2020**

Príosún								
Cnoc an Arbhair	136	136	134	134	132	125	125	123
An Caisleán Riabhach	303	331	297	302	298	271	271	266
Cnoc na Seamar	381	422	383	370	348	376	351	288
Corcaigh	282	319	269	274	260	257	286	258
Dóchas	147	150	119	117	112	119	120	116
Luimneach (Mná)	33	35	22	18	25	29	31	30
Luimneach (Fir)	214	230	212	209	188	208	202	188
Teach an Locháin	112	118	128	110	107	97	99	93
Lár Tíre	826	887	850	801	789	816	810	800
Muinseo	695	698	642	673	642	660	710	683
Port Laoise	235	239	224	223	223	221	215	218
Mainistir Shelton	101	104	101	96	99	83	80	80
Páirc na Cruithneachta	485	545	487	512	492	499	511	507
<b>IOMLÁN</b>	<b>3,950</b>	<b>4,214</b>	<b>3,868</b>	<b>3,839</b>	<b>3,715</b>	<b>3,761</b>	<b>3,811</b>	<b>3,650</b>
	1-Ean	12-Már	27-Már	13-Aib	29-Meith	21-M.F	1-Noll	31-Noll

I **bhFíor 1**, léirítear go raibh laghdú beagnach 9% i ndaonra na bpríosúin ó 4,214 ar an 12 Márta 2020 go 3,839 ar an 13 Aibreán 2020 laistigh de mhí amháin ó thús na paindéime. I gcaitheamh na bliana, tháinig laghdú iomlán 7.6% i ndaonra na bpríosúin in Éirinn, ó 3,950 ar an 1 Eanáir 2020 go 3,650 ar an 31 Nollaig 2020.

I bpríosúin ina soláthraítear cóiríocht do mhná, laghdaíodh an daonra de níos mó ná an ceathrú cuid sa tréimhse tosaigh de na srianta COVID-19; bhí 185 duine in Ionad Dóchas ar an 12 Márta (Príosún na mBan Mhuinseo) agus i sciathán na mban i bPríosún Luimnigh, i gcomparáid le 135 duine ar an 29 Meitheamh 2020. Tháinig méadú ar an líon sin go 146 faoi dheireadh na bliana áfach.

## 2.2 Laghdú i nDaonra na bPríosún

Tá an laghdú i líon na ndaoine faoi choimeád i bpríosúin na hÉireann ina léiriú ar bhearta a rinneadh chun scaipeadh COVID-19 a laghdú. Cuireadh luathscaoileadh agus scaoileadh sealadach i bhfeidhm i ndáil le líon níos mó príosúnach a raibh ‘riosca íseal’ ag baint leo agus a ndearnadh measúnú orthu ar bhonn aonair. Aithníodh dhá spriocghrúpa i leith scaoileadh: (i) príosúnaigh a raibh pianbhreitheanna níos lú ná 12 mhí á gcur isteach acu maidir le cionta neamhfhoréigneacha, agus (ii) príosúnaigh a raibh níos lú ná sé mhí fós le cur isteach acu i ndáil lena bpianbhreith.<sup>1</sup> Cé go bhfáiltíonn an Chigireacht roimh an laghdú foriomlán i ndaonra na bpríosún, níor mhór go mbeadh líon iomlán na ndaoine faoi choimeád faoi bhun 3,000 duine lena chinntiú go mbeadh cillín aonair ag gach príosúnach i bpríosúin na hÉireann; ar beart é trína gcuideofaí le scaipeadh a chosc.<sup>2</sup>

Fógraíodh cur chuige IPS chun COVID-19 a bhainistiú a bheith ina dhea-chleachtas, agus áirítear leis samhail um rianú teagmhálaithe a mhol an Eagraíocht Dhomhanda Sláinte (WHO).<sup>3</sup> Mar thoradh ar iarrachtaí réamhghníomhacha IPS chun scaipeadh COVID-19 a chosc, ní raibh ach fórbheagán cásanna de COVID-19 i bpríosúin na hÉireann; tá sé seo le moladh.

Mar sin féin, de réir na dtreoirilínte a chuir Fochoiste na Náisiún Aontaithe um Chéasadh a Chosc, An Coiste Eorpach chun Céastóireacht a Chosc, agus an Eagraíocht Dhomhanda Sláinte<sup>4</sup> ar fáil, moltar do IPS an riachtanas maidir le daonra na bpríosún a laghdú tuilleadh a bhreithniú mar bheart chun an riosca go scaipfeadh COVID-19 i bPríosúin na hÉireann a laghdú.

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<sup>1</sup> Tithe an Oireachtais, ‘Príosúnaigh a Scaoileadh’ (23 Meitheamh 2020) <[www.oireachtas.ie/en/debates/question/2020-06-23/317/?highlight%5B0%5D=thomas&highlight%5B1%5D=pringle&highlight%5B2%5D=release&highlight%5B3%5D=releas](https://www.oireachtas.ie/en/debates/question/2020-06-23/317/?highlight%5B0%5D=thomas&highlight%5B1%5D=pringle&highlight%5B2%5D=release&highlight%5B3%5D=releas)>

<sup>2</sup> Tithe an Oireachtais ‘Sonraí maidir le Príosúnaigh’ (20 Bealtaine 2020” <https://www.oireachtas.ie/en/debates/question/2020-05-20/491/>; IPRT Standard 9 (PIPS, 2019) <https://pips.iprt.ie/progress-in-the-penal-system-pips/part-2-measuring-progress-against-the-standards/b-prison-conditions/9-single-cell-accommodation/>

<sup>3</sup> Mattea Clarke et al, ‘Establishing Prison-Led Contact Tracing to Prevent Outbreaks of COVID-19 in Prisons in Ireland’ (2020) 42:3 *Journal of Public Health* 519.

<sup>4</sup> SPT 9(2) [www.ohchr.org/Documents/HRBodies/OPCAT/AdviceStatePartiesCoronavirusPandemic2020.pdf](https://www.ohchr.org/Documents/HRBodies/OPCAT/AdviceStatePartiesCoronavirusPandemic2020.pdf); CPT (5) <https://rm.coe.int/16809cfa4b>; WHO <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/publications-and-technical-guidance/vulnerable-populations/prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention/faq-prevention-and-control-of-covid-19-in-prisons-and-other-places-of-detention#441907>



### 3 GNÍOMHAÍOCHTAÍ A BHAINNEANN LE COVID-19

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Chruthaigh an phaindéim COVID-19 timpeallacht dhúshlánach chun cigireacht a dhéanamh ar chóireáil agus coinníollacha i bpríosúin. Ar scála domhanda, aithníodh go bhféadfadh príosúin a bheith i gcroílár scaipeadh an víris laistigh agus lasmuigh de bhallaí na bpríosún araon.<sup>5</sup> I bhfianaise na srianta a cuireadh i bhfeidhm i bpríosúin chun scaipeadh COVID-19 a chosc, lena n-áirítear réimeanna teoranta agus teorainneacha ar chualrteoirí chuig príosúin, bhí sé fíorthábhachtach maoirseacht a dhéanamh ar phríosúin le linn na bliana. Bhí an Chigireacht dúthrachtach faoina feidhm mhaoirseachta i gcónaí sa bhliain 2020 in ainneoin na ndúshlán a bhí i gceist mar gheall ar COVID-19.

Is mar seo a leanas a bhí gníomhaíochtaí na Cigireachta maidir le COVID-19 idir mí an Mhárta agus mí na Nollag 2020:

- i. Tugadh cuairt ghearr ar gach príosún idir an 26 Márta agus an 5 Bealtaine 2020 agus cuireadh glaonna gutháin ar Ghobharnóirí na bpríosún ina dhiaidh sin idir mí Aibreáin agus mí Iúil 2020 (cuid 3.1 & 3.2)
- ii. Rinneadh cumarsáid le IPS ar bhonn leanúnach, lena n-áirítear tuarascálacha laethúla agus seachtainiúla maidir leis na príosúin ó Ard-Stiúrthóir IPS (cuid 3.3).
- iii. Tuarascáil a fhorbairt i gcomhar le hOllscoil Mhá Nuad maidir leis an tionchar atá ag clutharú ar dhaoine faoi choimeád (cuid 3.4)

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<sup>5</sup> \*Stuart Kinner, et al. 'Tá Príosúin agus Timpeallachtaí Coimeádta mar chuid de Fhreagra Cuimsitheach a Thabhairt ar COVID-19' (2020) 5 The Lancet e188.

### 3.1 Cuairteanna Gearra ar Phríosúin

Thug an Chigireacht cuairt ghearr ar an 12 phríosún ar fad atá in Éirinn sa chéad mhí de na srianta maidir le COVID-19 (**Tábla 1**). Bhí achair ama éagsúla i gceist leis na cuairteanna seo, ach bhí an rún céanna ag baint leo ar fad chun (i) iniúchadh a dhéanamh ar an mbealach inar chuir príosúin bearta coisctheacha a bhain go sonrach le COVID-19 i bhfeidhm, agus (ii) an tionchar a bhí ag na bearta sin ar phríosúnaigh a fháil amach.

**Tábla 1. COVID-19 Cuairteanna Gearra ar Phríosúin**

Dáta	Ionad Coinneála
26/03/2020	Príosún Pháirc na Cruithneachta
26/03/2020	Príosún Chnoc na Seamar
27/03/2020	Príosún an Láir Tíre
01/04/2020	Príosún Chorcaí
01/04/2020	Príosún Luimnigh
06/04/2020	Mainistir Shelton
07/04/2020	Príosún Phort Laoise
08/04/2020	Príosún Chnoc an Arbhair
12/04/2020	Príosún Mhuinseo (Fir)
20/04/2020	Teach an Locháin
21/04/2020	Príosún an Chaisleáin Riabhaigh
27/04/2020	Príosún na mBan Mhuinseo – Ionad Dóchas
28/04/2020	
05/05/2020	

#### Príosún na mBan Mhuinseo – Cuairt Ghearr ar Ionad Dóchas

Le linn na tréimhse a raibh cuairteanna gearra á gcur i gcrích, bhí an céatadán ab airde daoine faoi choimeád a bhí ag clutharú nó ar leithlis le fáil i bPríosún na mBan Mhuinseo – Ionad Dóchas. Murab ionann agus príosúin eile ar thug an Chigireacht cuairt orthu, bhí cás Phríosún na mBan Mhuinseo ina chás ar leith, agus breis is 50% de dhaoine faoi choimeád ag clutharú nó ar leithlis, agus dá bharr sin, bhí tuilleadh iniúchta ag teastáil. Thug an Chigireacht Cuairt um Monatóireacht agus Maoirseacht ar Phríosún na mBan Mhuinseo – Ionad Dóchas, agus caitheadh trí lá san Ionad i mí Aibreáin agus mí Bealtaine 2020. Cuireadh an Tuairisc Chigireachta maidir leis an gCuairt um Monatóireacht agus Maoirseacht trí lá ar Phríosún na mBan Mhuinseo – Ionad Dóchas faoi bhráid an Aire Dlí agus Cirt i mí Lúnasa 2020.

**Tábla 2. Líon na bPríosúnach ag Cocúnú i bPríosún na mBan Mhuinseo**

Dáta	Clutharú (Riail 63)	Leithlisiú (Riail 103)	Daonra Iomlán	Céatadán den Daonra ag Clutharú/ ar Leithlis
Aibreán 27	51	13	117	54.7%
Aibreán 28	51	9	113	53%
Bealtaine 5	52	9	109	56%

## 3.2 Glaonna Gutháin ar Phríosúin

Mar chomhlánú ar na Cuairteanna Gearra a cuireadh i gcrích i ngach príosún, chuir an Chigireacht tús le glaonna leantacha a chur ar phríosúin idir an 8 Aibreán agus an 21 Iúil 2020. Is é an aidhm a bhí leis na glaonna cuntas a fháil maidir le daoine a bheith ar réimeanna teoranta i ndáil le COVID-19 (Riail 63 agus Riail 103). (Féach an Teimpléad do Ghlaonna in Aguisín 11.1) I d**Tábla 3**, luaitear líon na n-glaonna a cuireadh ar gach príosún.

**Tábla 3: Glaonna a cuireadh ar phríosúin maidir le COVID-19**

Príosúin	Glaonna
Cnoc an Arbhair (8)	8 Aibreán, 20 Aibreán, 6 Bealtaine, 22 Bealtaine, 2 Meitheamh, 12 Meitheamh, 24 Meitheamh, 2 Iúil
Príosún an Chaisleáin Riabhaigh (6)	17 Aibreán, 5 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 7 Iúil.
Príosún Chnoc na Seamar (9)	9 Aibreán, 24 Aibreán, 14 Bealtaine, 20 Bealtaine, 2 Meitheamh, 17 Meitheamh, 24 Meitheamh, 9 Iúil, 21 Iúil
Príosún Chorcaí (9)	8 Aibreán, 20 Aibreán, 13 Bealtaine, 20 Bealtaine, 28 Bealtaine, 12 Meitheamh, 17 Meitheamh, 24 Meitheamh, 2 Iúil
Príosún Luimnigh (6)	15 Aibreán, 5 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 8 Iúil
Teach an Locháin (5)	8 Aibreán, 8 Bealtaine, 28 Bealtaine, 24 Meitheamh, 17 Iúil
Príosún an Láir Tíre (6)	20 Aibreán, 5 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 7 Iúil
Príosún Mhuinseo (Fir) (8)	8 Aibreán, 22 Aibreán, 1 Bealtaine, 13 Bealtaine, 28 Bealtaine, 12 Meitheamh, 24 Meitheamh, 2 Iúil
Príosún Mhuinseo (Mná) (8) (Ionad Dóchas)	8 Aibreán, 13 Bealtaine, 22 Bealtaine, 28 Bealtaine, 12 Meitheamh, 17 Meitheamh, 24 Meitheamh, 2 Iúil
Príosún Phort Laoise (6)	15 Aibreán, 6 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 7 Iúil
Mainistir Shelton (6)	17 Aibreán, 6 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 7 Iúil
Príosún Pháirc na Cruithneachta (6)	20 Aibreán, 6 Bealtaine, 22 Bealtaine, 9 Meitheamh, 23 Meitheamh, 8 Iúil

Bunaithe ar na glaonna a cuireadh ar phríosúin le linn na tréimhse ó mhí Aibreán go mí Iúil, thug an Chigireacht an méid seo a leanas ar aird:

### 3.2.1 Tionscnaimh Dhearfacha

- Cuairteanna teaghlaigh trí Nasc Físe tugtha isteach ar fud eastát na bpríosúin; Náisiúnaigh choigríche in ann a dteaghlach a fheiceáil ina dtír baile;
- Cainéal teilifíse inmheánach á úsáid ag múinteoirí chun oideachas leanúnach a chur ar fáil do dhaoine a d'fhreastail ar scoil agus ar sheisiúin aireachais;
- Guthán curtha ar fáil sa chillín do phríosúnaigh chun glao ar sheirbhísí tacaíochta ar nós Samaritans agus an séiplíneach;
- Socruithe nua tugtha isteach trína bhféadfadh an teaghlach airgead a lóisteáil i gcuntas príosúnaigh tríd An Post;
- Rinneadh éascaíocht ar agallaimh ag príosúnaigh leis an mBord Parúil trí bhíthin nasc gutháin físe;

- Láithris Chúirte trí nasc Físe méadaithe;
- Netflix leata amach;
- Seirbhísí tacaíochta curtha ar fáil do phríosúnaigh aosta breoite i ndiaidh iad a scaoileadh as príosún;
- Baill foirne breise ar fáil i bpríosúin mar gheall ar thionlacain Chúirte teoranta a bheith i gceist;
- Rinne IPS socruithe chun príosúnaigh faoi choimeád, ar thionlaic An Garda Síochána iad roimh an bpaindéim, a thionlacan chun na Cúirte, agus trí sin a dhéanamh, srian a chur lena dteagmhálacha agus an riachtanas a sheachaint go mbeadh orthu dul trí choraintín 14 lá eile.

### 3.2.2 Cúiseanna imní/Saincheisteanna

- Ní raibh cithfholcadán ar fáil i roinnt cillíní coraintín agus/nó leithlisithe. Ní raibh teacht ag príosúnaigh sna príosúin sin ar chithfholcadán le linn na tréimhse a chaith siad i gcoraintín, a raibh 14 lá ag baint leis in go leor cásanna. Cuireadh spúinse agus báisín ar fáil do phríosúnaigh chun cothabháil a dhéanamh ar a sláinteachas pearsanta;
- Rinneadh príosúnaigh ar thionlaic An Garda Síochána iad ó choinneáil faoi bharántas lena gceistiú faoi Alt 42 den Acht um Cheartas Coiriúil 1999 a chur i gcoraintín ar feadh 14 lá i ndiaidh dóibh filleadh;
- Bhí go leor deacrachtaí teicniúla leanúnacha ag baint le glaonna teaghlaigh Nasc Físe ar nós, gan teagmháil a dhéanamh leis an duine muinteartha, glaonna a bheith á gcailleadh, easpa láithreacha chun nasc físe a dhéanamh agus deacrachtaí maidir le sliotán ama a fháil;
- Ní raibh aon fhoráil i gceist le go bhféadfadh príosúnaigh athsholáthar éadaí a fháil óna dteaghlach nuair a cuireadh cuairteanna ar ceal;
- Gan aon am, nó am teoranta lasmuigh den chillín a bheith ag daoine i gcoraintín nó daoine atá á gcoinneáil ar leithlis;
- Teagmháil srianta nó gan aon teagmháil fiúntach daonna a bheith ag daoine i gcoraintín nó daoine atá á gcoinneáil ar leithlis;
- Scoil curtha ar ceal seachas i gcás na hollscoile oscailte;
- Dúnadh ceardlanna; agus
- Srian curtha le ham sa chlós.

### 3.2.3 Réimeanna Teoranta a bhaineann le COVID-19

I gcomhréir le hAirteagal 2 den Choinbhinsiún Eorpach um Chearta an Duine, ba é aidhm Rialtas na hÉireann le linn na paindéime beatha daoine a chosaint. Mar chuid dá fhreagra ar an ráig de COVID-19, thug an Rialtas líon srianta isteach maidir le gluaiseacht agus caidreamh a d'imir tionchar ar gach earnáil den phobal.

Mar chuid dá hiarrachtaí scaipeadh COVID-19 a chosc i bpríosúin, thug IPS líon bearta isteach trínar cuireadh srian le réim laethúil na bpríosúnach. Maidir leo sin sa daonra i gcoitinne, cuireadh srian nó cuireadh deireadh le gníomhaíochtaí fiúntacha ar nós scoil, oiliúint agus obair. Chomh maith leis sin, cuireadh deireadh le cuairteanna teaghlaigh i bpearsa agus laghdaíodh an t-am a chaití lasmuigh de na cillíní. Chomh maith leis sin, thug IPS bearta an-sriantach isteach a raibh sé i gceist leo scaipeadh COVID-19 a chosc, bearta ar nós: (i) Clutharú, (ii) Coraintín agus (iii) Leithlisiú.

Den chuid is mó, rinne daoine clutharú ag luathchéimeanna na paindéime mar gheall ar aostacht (70≤), agus/nó mar gheall ar fhadhbanna sláinte ainsealacha neamhsheasmhacha (féach cuid 3.4 chun tuilleadh eolais a fháil maidir le daoine ag clutharú i bpríosún).

Áiríodh leo sin a cuireadh i gCoraintín:

- Gach Cmiú i bpríosún;
- Príosúnaigh a d'fhill ón gCúirt;

- Príosúnaigh ar chuir An Garda Síochána ar ais faoi choimeád iad i ndiaidh agallaimh ag Stáisiún Garda faoi bharántas Alt 42

Cuireadh daoine aonair i gcoraintín ar feadh 14 lá i ndiaidh iad a chimiú. B'ionann an t-am a chaith siad lasmuigh dá gkillín agus uair amháin gach lá. Tugadh cead do phríosúnach amháin aclaíocht a dhéanamh ina aonar/haonar don 14 lá gan aon deis a fháil ar theagmháil fiúntach daonna. I gcás inar cuireadh beirt nó níos mó i bpríosún ar an lá céanna, tugadh cead don ghrúpa aclaíocht a dhéanamh in éineacht lena chéile ar feadh tréimhse an choraintín. B'amhlaidh an scéal nach mór i gcás daoine a bhí i láthair sa Chúirt nó daoine a chaith tréimhsí eile ar scaoileadh sealadach. Cuireadh béilí ar fáil do dhaoine sna cillíní ar bhonn laethúil.

Áiríodh leo sin a cuireadh ar leithlis:

- Príosúnaigh a raibh tástáil dhearfach acu don víreas COVID-19;
- Daoine a raibh comharthaí an víris COVID-19 le brath orthu – le linn dóibh fanacht ar thoradh na tástála;
- Dlúth-theagmhálaí duine le COVID-19 – le linn dóibh fanacht ar thorthaí na tástála.

Cé go n-aithnítear go ndearna IPS bearta, ar nós clutharú, coraintín agus leithlisiú, a tugadh isteach chun scaipeadh an víris a chosc agus beatha a chosaint, tá sé de thuairim ag an gCigireacht go raibh tionchar díréireach ag roinnt de na bearta ar phríosúnaigh. Ba i ngaibhniú aonair a coinníodh na príosúnaigh ar cuireadh coraintín agus leithlisiú i bhfeidhm orthu, toisc go raibh níos lú ná dhá uair acu lasmuigh den chillín in aghaidh an lae, ní raibh teacht acu ar oideachas, obair ná oiliúint, agus ní raibh teagmháil fhiúntach daonna acu. Léiríodh i dtaighde go bhféadfaí tionchar dochrach a imirt ar shláinte intinne agus shóisialta mar gheall ar ghaibhniú aonair.<sup>6</sup> Tá an Chigireacht den tuairim, i gcomhréir le moltaí a rinne an Coiste Eorpach um Cheastóireacht agus Íde nó Pionós atá Mídhaonna nó Táireach a Chosc (CPT), go bhfuil údarú breise ag teastáil i leith aon srian sa bhreis air sin a chuireann Cúirt i bhfeidhm.<sup>7</sup> Is é sin, nach mór go mbeadh aon srianta breise a chuirtear i bhfeidhm ar phríosúnaigh:

- Comhréireach
- Dleathach
- Cuntasach
- Riachtanach, agus
- Neamh-idirdhealaitheach

Agus srianta coiscitheacha á gcur i bhfeidhm agus oibleagáidí maidir le cearta daonna á ndearbhú; tá sé rithabhachtach go dtabharfadh IPS údar leis na céimeanna atá glactha chun scaipeadh COVID -19 a chosc, i gcomhréir leis an tástáil PLANN.

I mí Iúil 2020, leasaíodh Rialacha na bPríosún le I.R. 250/2020 chun Rialacha nua 32A agus 36A a chur isteach (Aguisín 11.2). Leasaíodh na Rialacha seo d'fhonn scaipeadh galair thógálacha a chosc. I Riail 32A, déantar foráil don Ghobharnóir, ar ordú a fháil ón Ard-Stiúrthóir, an teidlíocht ar aclaíocht áineasa, aclaíocht nó oiliúint faoi Riail 32 a chur ar fionraí, nó an teidlíocht ar aclaíocht áineasa, aclaíocht nó oiliúint a shrianadh nó a mhionathrú i dtaca le minicíocht, fad agus socrú, ar feadh tréimhse sonraithe. Baineann Riail 36A le cuairteanna chuig príosúnaigh agus déantar foráil inti don Ard-Stiúrthóir an Gobharnóir a ordú an teidlíocht ar chuairteanna faoi Riail 35 a chur ar fionraí, nó an teidlíocht ar chuairteanna a shrianadh nó a mhionathrú i dtaca le minicíocht, fad agus socruithe, go

<sup>6</sup> Thomas Hewson, et al, 'Éifeachtaí na Paindéime COVID-19 ar Shláinte Intinne Príosúnach' (2020) 7 The Lancet 568.

<sup>7</sup> CPT/Inf(2011)28-part2

háirithe maidir le líon agus aois na gcuariteoirí dá dtugtar cead cuairteanna a thabhairt ar feadh tréimhse nó tréimhsí sonraithe.

Tá imní ar an gCigireacht nach ndearnadh aon fhoráil i Riall 32A ná 36A lena chur in iúl nach mór na bearta sriantacha atá á gcur i bhfeidhm a mheasúnú sula gcuirtear i bhfeidhm iad lena chinntiú go bhfuil an beart/na bearta comhréireach, dleathach, cuntasach, riachtanach agus neamh-idirdhealaitheach. Chomh maith leis sin, tá imní ar an gCigireacht faoi chomh débhríoch is atá na Rialacha, go háirithe sa chaoi nach sonraítear clásal éagtha iontu.

### 3.3 Cumarsáid le IPS

Le teacht COVID-19, chuir Ceanncheathrú IPS nuashonruithe ar fáil don Chigireacht maidir le cúrsaí a bhí ag teacht chun cinn ar fud eastát na bpríosún. Áiríodh leis an gcumarsáid glaonna gutháin le hArd-Stiúrthóir IPS gach coicís, gach nuachtlitir a dháileadh ar na baill foirne agus príosúnaigh ar fad agus figiúirí laethúla maidir le scaipeadh COVID-19 a chur ar fáil. Chomhroinn IPS 25 nuachtlitir do phríosúnaigh agus 13 nuachtlitir do bhaill foirne leis an gCigireacht idir Márta agus Nollaig 2020. Fáiltíonn an Chigireacht roimh an gcumarsáid leanúnach agus tábhachtach seo le IPS.

### 3.4 Tuarascáil maidir le Clutharú i bPríosún

I gcomhar le hOllscoil Mhá Nuad, thug an Chigireacht faoi thionscadal chun foghlaim faoin eispéireas a bhaineann le clutharú ó dhaoine a bhí ag clutharú agus iad faoi choimeád. Ba iad an dá aidhm a bhí leis an tionscadal ná (i) a fháil amach faoin mbealach is fearr tacú leis na daoine sin, agus (ii) an dochar a d'fhéadfaí a dhéanamh dóibh mar thoradh ar na bearta sláinte poiblí a cuireadh i bhfeidhm chun dul i ngleic le COVID-19 a íoslaghdú. Cuireadh an tionscadal i bhfeidhm i seacht bpríosún agus cuireadh tús leis i mí Aibreáin 2020. Leagadh amach é chun eispéireas daoine a fháil ó dhá chohórt a bhí ag clutharú: (i) iad sin a bhí ag clutharú mar gheall ar aostacht, agus (ii) iad sin a bhí ag clutharú mar gheall ar fhadhbanna sláinte ainsealacha neamhsheasmhacha. Dháil oibrithe deonacha ón gCros Dhearg 86 dialann (bhí 96 duine ag clutharú ar fud aon phríosún déag ag an am) ar fhir agus mná araon a bhí faoi choimeád. Iarradh ar rannpháirtithe a n-eispéireas a roinnt maidir le clutharú i bpríosún trí úsáid a bhaint as na dialanna. I dtús mhí Bealtaine, bailíodh 72 dialann, ar scríobhadh nó ar tarraingíodh i 49 cinn díobh.

Trí anailís a dhéanamh ar na dialanna, tháinig téamaí agus moltaí barrthábhachtacha chun cinn, a dtugtar achoimre orthu thíos i **dTábla 4**, agus atá ar fáil ina n-iomláine sa tuarascáil *An Tionchar atá ag Clutharú ar Dhaoine faoi Choimeád a Fheabhsú - Faisnéisiú*<sup>8</sup>. Chuir IPS nuashonrú ar fáil don Chigireacht maidir le stádas na moltaí ar an 28 Eanáir 2021 agus cuirtear an fhaisnéis sin san áireamh freisin i **dTábla 4**.

<sup>8</sup> Oifig an Chigire Príosún agus Ollscoil Mhá Nuad, *An Tionchar atá ag Clutharú ar Dhaoine faoi Choimeád a Fheabhsú - Faisnéisiú* (20 Iúil 2020) <https://www.oip.ie/wp-content/uploads/2020/07/Ameliorating-the-impact-of-cocooning-on-people-in-custody-a-briefing.pdf>

**Tábla 4: Ag Clutharú faoi Choimeád: Téamaí agus Moltaí**

<b>Téama Barrthábhachtach 1: Bia</b> <i>(soláthar, cur i láthair agus ábhar bia)</i>	
<b>Moladh</b>	<b>IPS – Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Gealltanais a thabhairt i leith comhairliúcháin níos fearr le daoine atá faoi réir bearta sláinte poiblí nó réimeanna teoranta maidir lena mbia.</li> </ul>	Níl aon socruithe ar leith i gceist a thuilleadh maidir le príosúnaigh atá ag clutharú, i gcomhréir leis na treoirlínte sláinte poiblí sa phobal.
<ul style="list-style-type: none"> <li>D'fhéadfaí múnlaí a úsáidtear in ospidéal maidir leis an rogha bia, mar aon leis an bhféidearthacht go mbaileodh daoine a gcuid bia féin ag am ar leith den daonra i gcoitinne, a chur san áireamh.</li> </ul>	Níl aon socruithe ar leith i gceist a thuilleadh maidir le príosúnaigh atá ag clutharú, i gcomhréir leis na treoirlínte sláinte poiblí sa phobal.
<b>Téama Barrthábhachtach 2: Am sa Chlós</b> <i>(am a chaitear lasmuigh i mbun aclaíochta, aer úr, caidreamh sóisialta)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Amchláir a chur in oiriúint d'fhonn tréimhsí sa chlós a mhéadú, ar nós daoine atá ag clutharú a ligean amach sa chlós sula dtugann daoine faoi ghníomhaíochtaí.</li> </ul>	Níl aon socruithe ar leith i gceist a thuilleadh maidir le príosúnaigh atá ag clutharú, i gcomhréir leis na treoirlínte sláinte poiblí sa phobal.
<b>Téama Barrthábhachtach 3: Caidreamh Sóisialta / Caidreamh idir Baill Foirne agus Príosúnaigh</b> <i>(easpa caidrimh shóisialta, an tábhacht a bhaineann le caidreamh dearfach)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>De réir mar a laghdaítear srianta, d'fhéadfadh sé a bheith indéanta 'meithleacha' de phríosúnaigh leochaileacha, nó dorchlaí/bolgáin clutharaithe a chruthú ina bhféadfadh daoine bogadh timpeall ar bhealach níos fusa laistigh de na criosanna sin, agus é a dhéanamh i gcomhairle le daoine faoi choimeád.</li> </ul>	Níl aon socruithe ar leith i gceist a thuilleadh maidir le príosúnaigh atá ag clutharú, i gcomhréir leis na treoirlínte sláinte poiblí sa phobal. Mar sin féin, i gcás go mbeadh ráig de COVID-19 i bpríosún, cruthófar meithleacha príosúnach atá chomh beag agus is indéanta ó thaobh oibríochta de.
<ul style="list-style-type: none"> <li>Líon níos mó glaonna gutháin, físglaonna a fhorbairt, gutháin a chur ar fáil laistigh de chillíní agus an postas a bhailiú go tráthúil.</li> </ul>	<p>Tá socruithe i ndáil le físglaonna i bhfeidhm anois i ngach príosún.</p> <p>Cuireadh glaonna gutháin bhreise ar fáil nuair a cuireadh cuairteanna i bpearsa ar ceal.</p> <p>Is féidir le príosúnaigh atá gaibhnithe i gcillín mar gheall ar choraintín nó leithlisiú iarraidh ar theacht a bheith acu ar líne ghutháin d'fhonn glaonna a chur.</p>
<ul style="list-style-type: none"> <li>Rochtain ar línte díreacha ar chomhairleoireacht andúile, ar thacaíocht um scaoileadh, ar an tséiplíneacht agus ar shíceolaíocht a chur ar fáil i gcónaí agus a mhéadú.</li> </ul>	<p>Níl príosúnaigh chlutharaithe gaibhnithe i gcillín a thuilleadh agus is féidir leo teacht ar sheirbhísí mar aon le daonra na bpríosún i gcoitinne.</p> <p>Is féidir le príosúnaigh atá gaibhnithe i gcillín mar gheall ar choraintín teacht a bheith acu ar líne ghutháin a iarraidh chun glaonna a chur ar Shéiplíneacht agus Síceolaíocht laistigh den phríosún agus glaonna a chur ar línte cabhrach náisiúnta, lena n-áirítear seirbhísí um Chomhairleoireacht Drugaí.</p>



<ul style="list-style-type: none"> <li>Caidreamh dearfach a fhorbairt idir baill foirne agus príosúnaigh a spreagadh a mhéid agus is féidir.</li> </ul>	Níl príosúnaigh chlutharaithe gaibhnithe i gceillín a thuilleadh agus is féidir leo teacht ar sheirbhísí agus dul i dteagmháil le baill foirne an phríosúin ar bhealach níos éasca, mar aon le daonra an phríosúin i gcoitinne.
<b>Téama Barrthábhachtach 4: Comhsheasmhacht, Cumarsáid &amp; Mothúcháin maidir le Pionós</b> <i>(comhsheasmhacht maidir leis an réim a chur ar fáil agus a chleachtadh; pionós á ghearradh mar gheall ar leochaileacht)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Maidir le treoirlinnte an rialtais, is le masc agus ar bhealach duine le duine a dhéantar idirghníomhaíocht le daoine faoi choimeád atá ag clutharú agus iad achar iomchuí óna chéile, seachas idirghníomhaíocht a dhéanamh trí dhóras dúnta.</li> </ul>	Níl socruithe ar leith i bhfeidhm maidir le príosúnaigh chlutharaithe a thuilleadh, i gcomhréir leis na treoirlinnte sláinte poiblí sa phobal.
<ul style="list-style-type: none"> <li>Bearta eile a bhreithniú chun eispéireas na n-idirghníomhaíochtaí a fheabhsú, agus trí sin, cur le héifeacht, soiléireacht agus dlisteanacht na faisnéise a chuirtear in iúl.</li> </ul>	Níl príosúnaigh chlutharaithe gaibhnithe ina gceillín a thuilleadh agus is féidir leo dul i measc dhaonra an phríosúin i gcoitinne laistigh dá léibheann féin. Eisítear Leabhrán maidir le Maireachtáil i gCeillín chuig daoine atá gaibhnithe i gceillín.
<ul style="list-style-type: none"> <li>Breithniú a dhéanamh ar dhul i dteagmháil le daoine ábhartha i ndlínsí eile a mbeadh smaointe acu maidir le cuir chuige nuálacha chun tacú le daoine atá ag clutharú i bpríosúin.</li> </ul>	Níl aon socruithe speisialta i bhfeidhm a thuilleadh chun tacú le príosúnaigh chlutharaithe.
<b>Téama Barrthábhachtach 5: Sláinte Intinne &amp; Choirp</b> <i>(riachtanais cúraim sláinte níos déine)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Agus riachtanais sláinte intinne á mbreithniú, ní mór an éifeacht a bheadh ar dhaoine a bhfuil meabharghalair agus fadhbanna sláinte intinne acu cheana a chur san áireamh in éineacht leis na himpleachtaí sláinte intinne ginearálta agus an tráma a bheadh i gceist mar thoradh ar an bpaindéim agus na srianta.</li> </ul>	Níl príosúnaigh chlutharaithe gaibhnithe i gceillín a thuilleadh agus is féidir leo teacht ar sheirbhísí mar aon le daonra an phríosúin i gcoitinne. Meastar Cúram Sláinte agus Síceolaíocht Phríosúin a bheith ina seirbhísí bunriachtanacha agus tá siad á gcur i bhfeidhm i bpríosúin i gcónaí.
<ul style="list-style-type: none"> <li>Ní mór do IPS bealaí a aimsiú chun tráma mar thoradh ar an bpaindéim i measc daoine faoi choimeád, baill foirne agus páirtithe leasmhara eile a aithint agus gníomhú ina leith, cé acu a bhíonn nó nach mbíonn an tráma sin le sonrú láithreach nó bliain nó níos faide ina dhiaidh sin (pleananna gearrthéarmacha agus fadtéarmacha).</li> </ul>	Tá an tseirbhís cúraim sláinte agus an tseirbhís Síceolaíochta Príosúin ar fáil chun gníomhú i leith aon tráma i measc daoine faoi choimeád mar thoradh ar an bpaindéim.
<ul style="list-style-type: none"> <li>Gníomh amháin a d'fhéadfaí a dhéanamh ná duine in IPS HQ a shannadh don tasc chun cinnte a dhéanamh de go gcuirfead daoine faoi choimeád san áireamh de réir mar a chuirtear seirbhísí sláinte ar fáil arís trí theagmháil a dhéanamh le hospidéal agus HSE.</li> </ul>	Cuirtear seirbhísí sláinte ar fáil sa phríosúin i gcónaí i rith na paindéime agus cuirtear coinní ospidéal bunriachtanacha ar an sceideal i gcónaí. Leanann an Stiúrthóireacht um Chúram agus Athshlánú de mholadh do HSE agus don Roinn Sláinte teacht a bheith ag príosúnaigh ar gach seirbhís cúraim sláinte ar bhonn comhionannais cúraim.



<b>Téama Barrthábhachtach 6: Gníomhaíocht Fhiúntach</b> <i>(teacht a bheith ar obair, ar oideachas agus ar ghníomhaíocht ilchineálach)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Acmhainní oideachais, corpacmhainne agus eile a chur ar fáil trí chóras closamhairc sa chillín.</li> </ul>	Bunaíodh córas teilifíse sa chillín i 4 phríosún agus tá pleananna ar bun é a chur ar fáil i ngach príosún. Tá seirbhísí príosún agus eagraíochtaí inrochtana ag cruthú ábhar oiriúnach lena chraoladh ar an gcainéal.
<ul style="list-style-type: none"> <li>Comhoibriú le hollscoileanna chun ábhar oideachais a chruthú agus oideolaíochtaí digiteacha a fhorbairt.</li> </ul>	Tá IPS i mbun teagmhála leis na Boird Oideachais agus Oiliúna chun ábhair oideachais oiriúnacha a chruthú agus a fháil. Tá socruithe reatha ag roinnt Ionad Oideachais Príosún le hinstiúidí ardoideachais.
<ul style="list-style-type: none"> <li>Rochtain a chur ar fáil ar tháibléid le WiFi (le beann ar bhearta cuí slándála) le go mbeifear in ann gníomhú ar ábhair oideachais, cluichí, teicneolaíochtaí cumarsáide, leabhair, nuachtáin agus chun tacú le sláinte choirp agus intinne.</li> </ul>	Nuair a dhúntar na hIonaid Oideachais, is sa chillín a dháiltear ábhair oideachais agus ealaíon ar phríosúnaigh. Tríd an gcainéal teilifíse a bheith ar fáil, beifear in ann tabhairt faoi fhoghlaím chumaisc trí ábhar oideachais a bheith ar fáil ar sceideal na teilifíse. Níl aon phleananna ann faoi láthair chun gairis le WiFi a chur ar fáil sna cillíní. Cuirtear leabhair ó leabharlanna ar fáil i ngach príosún i gcónaí.
<ul style="list-style-type: none"> <li>Ba chóir do IPS meicníochtaí a chur ar bun chun fiafraí de dhaoine atá faoi réir réimeanna teoranta maidir lena gcuid riachtanas agus faoin mbealach ina bhféadfaí iad a bhaint amach.</li> </ul>	Tá teagmháil leanúnach ar bun le daoine faoi choimeád trí oibrithe deonacha na Croise Deirge agus lorgáitear ldirghabhálacha laistigh de gach príosún mar aon le haiseolas trí Choistí Gníomhaithe Sláinte Phoiblí na Croise Deirge.
<b>Téama Barrthábhachtach 7: Comhairliúchán</b> <i>(teagmháil maidir le riachtanas a shocrú)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta ar an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>Réimse beartas agus cleachtaidh a chur i bhfeidhm d'fhonn sábháilteacht shíceolaíoch a chinntiú agus tacú le sláinte intinne agus athnascadh de réir mar a aistrítear ó na bearta.</li> </ul>	Tá an tSeirbhís Cúraim Sláinte agus an tSeirbhís Síceolaíochta Príosún ar fáil i gcónaí chun gníomhú i leith riachtanais sláinte intinne agus síceolaíochta i measc daoine faoi choimeád mar thoradh ar an bpaindéim.
<ul style="list-style-type: none"> <li>D'fhéadfaí leas a bhaint as cleachtais athshlánaíocha chun deiseanna fóinteacha a chur ar fáil do phríosúnaigh agus baill foirne iad féin a chur in iúl agus a bheith páirteach maidir le cinneadh a dhéanamh faoin méid ba cheart a dhéanamh i ndáil le prótacail do chuairteanna, réimeanna a mhaolú agus tacaíocht leanúnach a chur ar fáil.</li> </ul>	Tá teagmháil leanúnach ar bun le príosúnaigh ag an leibhéal áitiúil. Chomh maith leis sin, d'eisigh IPS nuachtlitreacha ar bhonn coicíse d'fhonn faisnéis, comhairle agus nuashonruithe a chur ar fáil do gach duine faoi choimeád.
<ul style="list-style-type: none"> <li>Teagmháil a dhéanamh le príosúnaigh agus baill foirne ar bhonn leanúnach agus seasta chun cuidiú le IPS beartais agus cleachtais a fhorbairt.</li> </ul>	Tá teagmháil leanúnach ar bun le príosúnaigh ag an leibhéal áitiúil. Chomh maith leis sin, d'eisigh IPS nuachtlitreacha ar bhonn coicíse d'fhonn faisnéis, comhairle agus nuashonruithe a chur ar fáil do gach duine faoi choimeád.

<b>Téama Barrthábhachtach 8: Luathscaoileadh</b> <i>(na critéir maidir le luathscaoileadh sealadach)</i>	
<b>Moladh</b>	<b>IPS - Stádas an Mholta an 28 Eanáir 2021</b>
<ul style="list-style-type: none"> <li>An úsáid is leithne a bhaint as meicníochtaí maidir le luathscaoileadh agus maidir le roghanna eile ar choimeád.</li> </ul>	<p>Ag leanúint ar aghaidh – Is trí fhíseán a cuireadh tús le cruinnithe athbhreithnithe Príosún i lár na bliana 2020.</p>
<ul style="list-style-type: none"> <li>Teagmháil a dhéanamh le gníomhaireachtaí ceartais coiriúil eile agus le páirtithe leasmhara agus oibriú i gcomhar leo lena chinntiú go gcuirtear an deis ar fáil do gach duine ar féidir leo a bpianbhreith a chur isteach go sábháilte sa phobal amhlaidh a dhéanamh.</li> </ul>	<p>Bhí an Scéim um Fhilleadh ar an bPobal agus an Scéim Tacaíochta Pobail ar fáil i gcónaí le linn 2020.</p>
<p>Faisnéis bhreise arna cur ar fáil ag IPS maidir le luathscaoiltí –</p> <p>Tá an bunús reachtach chun cinntí a dhéanamh maidir le luathscaoileadh leagtha amach go hiomlán san Acht um Dhlínse Choiriúil 1960, arna leasú leis an Acht um Cheartas Coiriúil (Scaoileadh Sealadach Príosúnach) 2003. Is féidir le príosúnach ar bith iarratas a dhéanamh tríd an nGobharnóir d'fhonn é/i a bhreithniú i gcomhair scaoileadh sealadach. Chomh maith leis sin, is féidir le teaghlach nó ionadaí dlí an phríosúnaigh iarratas a dhéanamh chun deonú dá leithéid a bhreithniú. Tá sé an-tábhachtach a thabhairt ar aird nach ionann is a rá go bhfaighidh príosúnach scaoileadh sealadach más amhlaidh an moladh ó údarais an phríosúin agus/nó ó sheirbhísí teiripeacha. Déantar gach iarratas a bhreithniú ar a thuillteanas féin agus cuirtear líon cúinsí san áireamh, lena n-áirítear ciontuithe roimhe seo, agus cinneadh á dhéanamh maidir le scaoileadh sealadach a dheonú.</p> <p>Leagtar amach san Acht 2003 an critéar a chuirtear san áireamh lena n-áirítear an méid seo a leanas -</p> <ul style="list-style-type: none"> <li>cineál agus tromchúis an chiona a bhaineann leis an bpianbhreith atá á cur isteach ag an duine</li> <li>an phianbhreith atá i gceist mar aon le moladh ar bith a dhéanann an Chúirt maidir leis an bpianbhreith a gearradh</li> <li>an tréimhse den phianbhreith atá curtha isteach ag an duine</li> <li>an bhagairt a d'fhéadfadh bheith i gceist do shábháilteacht agus slándáil an phobail dá scaoilfí an duine saor</li> <li>taifead coiriúil an duine roimhe seo</li> <li>an baol nach bhfilleadh an duine ar phríosún nuair a thiocfadh deireadh leis an tréimhse ar scaoileadh saor</li> <li>iompar an duine le linn é/i bheith faoi choimeád nó le linn é/i bheith ar scaoileadh sealadach roimhe seo</li> <li>tuairisc nó moladh ar bith a dhéanann an Gobharnóir, An Garda Síochána, Oifigeach Promhaidh &amp; Leasa, nó duine ar bith eile a mheasann an tAire a bheadh in ann cuidiú a thabhairt chun teacht ar chinneadh maidir le scaoileadh sealadach a dheonú</li> <li>an baol go ndéanfadh an duine coir le linn na tréimhse ar scaoileadh sealadach</li> <li>an baol nach gcomhlíonadh an duine ceann ar bith de na coinníollacha a bhaineann le scaoileadh sealadach</li> <li>an dóchúlacht go gcuirfí dlús leis an duine a ath-imeascadh sa tsochaí nó go bhfeabhsófaí a ionchais/hionchais maidir le fostaíocht a fháil mar thoradh ar an tréimhse ar scaoileadh sealadach</li> </ul>	

Ó thús na paindéime i mí an Mhárta 2020 i leith, tá sé tugtha faoi deara ag an gCigireacht go bhfuil cinntí beartais curtha i bhfeidhm ag IPS, agus ag an earnáil phoiblí i gcoitinne in Éirinn, nárbh fhéidir a thuair mionna roimhe sin. Mar chuid dá freagra ar an bpaindéim, chuir IPS bearta agus beartais i bhfeidhm (cuartheanna físe, cainéal teilifíse laistigh den chillín, éarlais An Post, nuachtlitreacha, etc.) d'fhonn an éifeacht a bhainfeadh le srianta COVID-19 ar dhaoine faoi choimeád a mhaolú.

Molann an Chigireacht IPS maidir lena hiarrachtaí chun scaipeadh an víris a shrianadh ar fud eastát na bpríosún, agus cuirimid fáilte roimh go leor de na tionscnaimh sin bheith á gcoinneáil, lena n-áirítear cainéal teilifíse laistigh den chillín agus nuachtlitreacha faisnéise, cuairteanna trí naisc físe (d'fhonn cur le cuairteanna i bpearsa ach gan teacht ina n-ionad) agus éarlaisí An Post.

Chomh maith leis sin, molann an Chigireacht don IPS an riachtanas leanúnach a chur san áireamh maidir le cur i bhfeidhm na gcritéar um scaoileadh sealadach a mhéadú. Trí sin a dhéanamh, d'fhéadfaí an líon daoine atá faoi choimeád a laghdú tuilleadh. Chomh maith leis sin, tacaíonn an Chigireacht le teagmháil leanúnach IPS le gníomhaireachtaí seachtracha chun cinnte a dhéanamh de go gcuirtear na hacmhainní riachtanacha ar fáil do dhaoine a scaoiltear saor ó choimeád (tithíocht, bia, cúram sláinte, fostaíocht, comhairleoireacht, etc.) ionas gur féidir leo iad féin a athlonnú agus a athimeascadh sa tsochaí.

## 4 FORLÉARGAS AR GHEARÁIN

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Tá ról reachtúil ag an gCigire Príosún maidir le maoirseacht ghinearálta a dhéanamh ar Chóras Gearán Príosúnach Sheirbhís Phríosúin na hÉireann. Ní feidhm de chuid an Chigire Príosún gearáin aonair a imscrúdú, ach féadfaidh an Chigireacht na cúinsí a bhaineann le gearán a imscrúdú nuair is gá chun feidhmeanna na hOifige a chomhlíonadh.<sup>9</sup>

De réir mar a éilítear i mBeartas IPS maidir le Gearáin Príosúnach,<sup>10</sup> is é Gobharnóir an phríosúin ábhartha a dhéanann gearáin a mheasúnú agus a chatagóiriú. Is mar seo a leanas catagóirí na ngearán:

- **Catagóir A** - gearáin a rinne príosúnach ag líomhain drochíde thromchúiseach, úsáid fórsa iomarcach, imeaglú / leithcheal tromchúiseach nó bagairtí ag ball foirne.
- **Catagóir B** - lár-raon i dtéarmaí tromchúise mar leithcheal, baill foirne ag tabhairt íde béil do phríosúnaigh, cuardaigh mhíchuí etc.
- **Catagóir C** - gearáin a bhaineann le leibhéal na seirbhíse ar nós gearáin faoi chuairteanna, glaonna gutháin, saincheisteanna faoi chomhartha gutháin, éadaí in easnamh, gan post a fháil in am, gan deiseanna aclaíocht chuí a dhéanamh, etc.
- **Catagóir D** - gearáin i gcoinne gairmithe mar fhiacloirí, dochtúirí etc.
- **Catagóir E** - gearáin a rinne cuairteoirí ar an bpríosún
- **Catagóir F** – gearáin in aghaidh cinntí a dhéanann IPS HQ i ndáil le ceisteanna amhail scaoileadh sealadach a dheonú, aistrithe príosúin etc.

### 4.1 Tuairisceáin Mhíosúla maidir le Gearáin ó Phríosúnaigh

Cuireann IPS sonraí ar fáil don Chigireacht maidir le gearáin ó phríosúnaigh. Ní mór an fhaisnéis seo a chur ar fáil ar bhonn míosúil ó Oifigeach Idirchaidrimh Príosúin i ngach príosún. Níor mhór fiosrú a dhéanamh maidir le cúinsí ina bhfuarthas faisnéis neamhiomlán.

Tá cainníocht agus miondealú catagóire na ngearán ó phríosúnaigh a cláraíodh le linn 2020 curtha ar fáil thíos. Tá an anailís seo bunaithe ar shonraí a fuair an Chigireacht ó na tuairisceáin mhíosúla. Níor taifeadadh aon ghearáin i dTeach an Locháin ná i Mainistir Shelton, ar Ionaid Oscailte iad araon, le linn 2020.

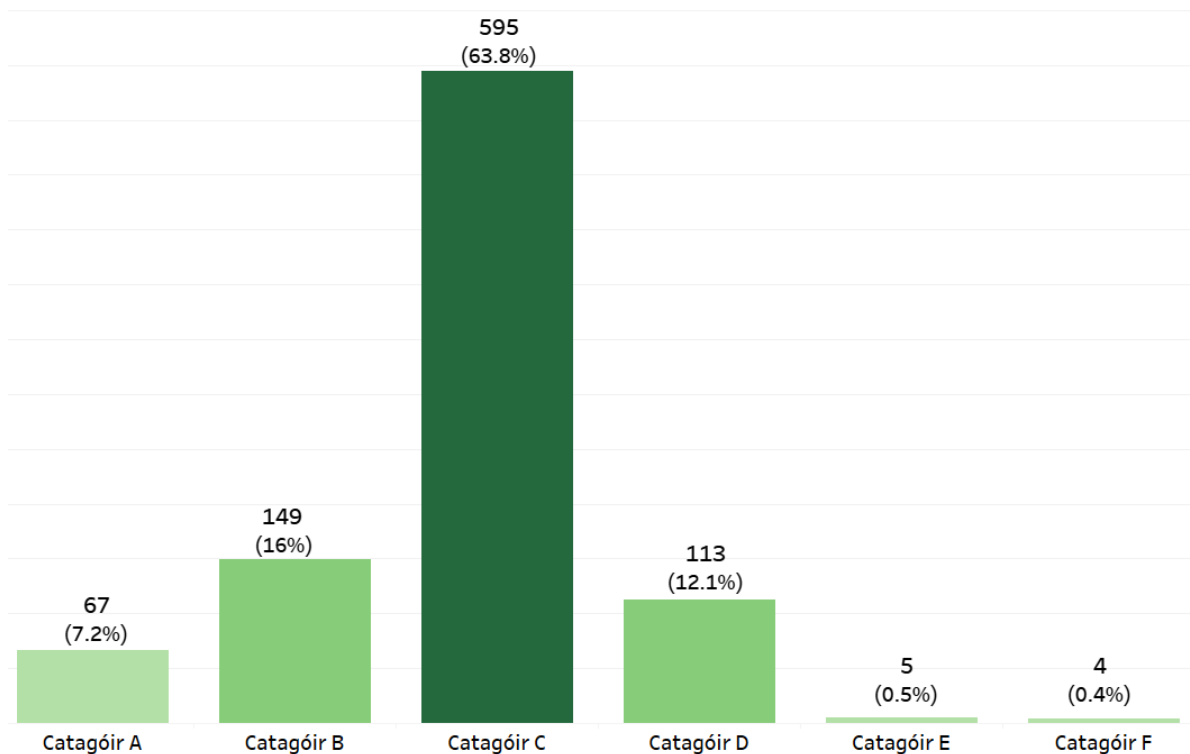
Cuirtear miondealú ar fáil i **bhFíor 2** agus **Tábla 5** ar líon na ngearán a rinneadh i ngach príosún faoi gach aon cheann de na catagóirí gearáin.

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<sup>9</sup> Alt 31(6) Acht na bPríosún 2007.

<sup>10</sup> Beartas Sheirbhís Phríosúin na hÉireann maidir le Gearáin ó Phríosúnaigh, Bealtaine 2014.

**Fíor 2: 2020 Miondealú ar Ghearáin de réir Catagóire de réir thuairisceáin mhíosúla na bpríosún**



**Tábla 5: Tuairisceáin Mhíosúla de ghearáin Chatagóir A go Catagóir F a rinneadh i ngach príosún**

Ionad Coinneála	Cat A	Cat B	Cat C	Cat D	Cat E	Cat F
Cnoc an Arbhair	3	3	6	0	0	1
An Caisleán Riabhach	7	6	85	23	1	0
Cnoc na Seamar	16	34	91	17	2	0
Corcaigh	5	5	3	1	0	0
Luimneach	2	1	4	2	0	0
Lár Tíre	12	30	136	14	0	2
Muinseo (Fir)	3	28	132	23	2	1
Muinseo (Mná) – Ionad Dóchas	8	22	27	7	0	0
Port Laoise	4	12	5	3	0	0
Páirc na Cruithneachta	7	8	106	23	0	0
Mainistir Shelton	0	0	0	0	0	0
Teach an Locháin	0	0	0	0	0	0
<b>Iomlán</b>	<b>67</b>	<b>149</b>	<b>595</b>	<b>113</b>	<b>5</b>	<b>4</b>

## 4.2 Gearáin i gCatagóir A

### 4.2.1 Oibleagáidí Tuairiscithe faoi Rialacha na bPríosún

Tá oibleagáidí tuairiscithe ar IPS maidir le líomhaintí de chineál tromchúiseach mar ionsaí nó úsáid fórsa iomarcach i gcoinne príosúnaigh nó drochíde, ciníochas, leithcheal, imeaglú, bagairtí. Tá na hoibleagáidí sin leagtha amach i Riail 57B de Rialacha na bPríosún 2007-2020, mar seo a leanas:

- Déanfaidh an Gobharnóir, taobh istigh de sheacht lá i ndiaidh dó eolas faoi ghearán den sórt sin a fháil, an t-eolas sin a chur faoi bhráid an Chigire Príosún, Riail 57B(4).
- De réir Riail 57B(5)(a), caithfear an Cigire Príosún a chur ar an eolas faoi cheapachán na ndaoine nó na ndaoine a cheapfaidh an tArd-Stiúrthóir chun imscrúdú a dhéanamh ar an ngearán.
- Má chinneann an tArd-Stiúrthóir gan foireann imscrúdaithe a cheapadh caithfidh sí socrú a dhéanamh go gcuirfear an Cigire Príosún ar an eolas faoin gcinneadh agus na cúiseanna leis an gcinneadh de réir Riail 57B(5)(b).
- Má dhéantar an gearán a tharraingt siar, fiosróidh an Gobharnóir, nó an tOifigeach Ainmnithe an fáth ar tarraingíodh siar an gearán, déanfar na fáthanna a thaifeadadh agus cuirfear ar aghaidh iad chuig an Ard-Stiúrthóir. D'fhéadfadh an tArd-Stiúrthóir cinneadh a dhéanamh gur chóir deireadh a chur leis an imscrúdú (agus más amhlaidh, na fáthanna leis sin a thaifeadadh agus an Cigire Príosún a chur ar an eolas faoi Riail 57B(5)(c)) nó ordú a thabhairt gur chóir leanúint ar aghaidh leis an imscrúdú.
- De réir Riail 57B(10)(a) ní mór cóip de gach tuarascáil a chuireann foireann imscrúdaithe isteach a sholáthar don Chigire, lena n-áirítear tuarascáil eatramhach i gcás nach gcuirtear an t-imscrúdú i gcrích laistigh de thrí mhí.
- De réir Riail 57B(10)(b) cuirfidh an Gobharnóir cóip d'aon tuarascáil agus cinneadh a dhéanann sé/sí ar aghaidh chuig an gCigire Príosún, nó más é an Gobharnóir ábhar an ghearáin, cuirfidh an tArd-Stiúrthóir cóip den Tuarascáil chuig an gCigire Príosún. De réir Riail 57B(11), mura bhfuil gearánach sásta le toradh an imscrúdaithe, féadfaidh sé nó sí scríobh chuig Cigire Príosún IPS ag míniú cén fáth nach bhfuil sé nó sí sásta de réir Riail 57B(12). Beidh maoirseacht ag Cigire na bPríosún ar gach imscrúdú a dhéanfar faoin Riail seo, beidh rochtain aici ar aon ábhar bainteach a bhaineann le haon imscrúdú a bhaineann le himscrúdú den sórt sin, agus féadfaidh sé nó sí aon ghné a mheasann sé nó sí a bheith ábhartha a imscrúdú.

### 4.2.2 Anailís ar Ghearáin i gCatagóir A

In 2020, fuair an Chigireacht fógra faoi 90 gearán i gCatagóir A ó dheich bpríosún san iomlán (**Tábla 6**).

**Tábla 6: Fógraí faoi Ghearáin i gCatagóir A chuig an gCigire Príosún**

<b>Ionad Coinneála</b>	<b>Fógraí faoi Ghearáin i gCatagóir A 2020</b>
Cnoc an Arbhair	2
Príosún an Chaisleáin Riabhaigh	7
Príosún Chnoc na Seamar	18
Príosún Chorcaí	3
Príosún na mBan Mhuinseo – Ionad Dóchas	8
Príosún Luimnigh	3
Príosún Lár Tíre	13
Príosún na bhFear Mhuinseo	4
Príosún Phort Laoise	20
Príosún Pháirc na Cruithneachta	12
<b>IOMLÁN</b>	<b>90</b>

Mar a léirítear i **dTábla 5** agus **Tábla 6**, tá neamhréir idir figiúirí na dtuairisceán míosúil comhiomlán a fuarthas ó na hoifigigh idirchaidrimh príosúin agus na fógraí aonair a fuair an Chigireacht. I ndiaidh athbhreithniú a dhéanamh, fuarthas amach gur ar chúiseanna éagsúla a tharla na neamhréireanna idir tuairisceáin na ngearán míosúil ó IPS agus na fógraí i gCatagóir A a fuair an Chigireacht:

- Is i mí Eanáir a fuair an Chigireacht fógraí maidir le gearáin a tharla i mí na Nollag na bliana roimhe sin;
- Tuairiscíodh gearáin ó bhlianta eile nár tuairiscíodh;
- Fuarthas fógraí go díreach ó IPS HQ; agus
- Rinneadh athchatagóiriú ar ghearáin.

Ón mbliain 2018 i leith, tá an Oifig seo ag tuairisciú ar fhógraí maidir le gach catagóir gearáin a fuarthas ó IPS agus aithníodh neamhréireanna gach aon bhliain. Dá bharr sin, ní mór a bheith ábhairín cáiréiseach maidir leis an bhfaisnéis a chuirtear ar fáil faoi ghearáin.

Tugtar achoimre ar riachtanais agus comhlíonadh Riail 57B i **dTábla 7**. Tarraingítear an fhaisnéis a chuirtear ar fáil sa tábla seo go díreach ó na fógraí a fuarthas ó IPS.

**Tábla 7: Fógra a thabhairt i gcomhréir le Riall 57(B) de Rialacha na bPríosún 2007-2020**

<b>Riall 57(B) de Rialacha na bPríosún 2007 – 2020</b>	<b>Fógra a Fuarthas a bhaineann le 2020</b>	<b>Fógra a Fuarthas a bhaineann le 2019</b>	<b>Fógra a Fuarthas a bhaineann le 2018</b>	<b>An líon iomlán a fuarthas in 2020</b>
Fógraí faoi ghearáin i gCatagóir A	72	6	12	90
Fógra ón nGobharnóir don Chigireacht laistigh de 7 lá ó fhógra a fháil faoin ngearán [57B(4)]	69	4	0	73
Cuirfear an Chigireacht ar an eolas faoi cheapachán an imscrúdaitheora [57B(5)(a)]	2	0	0	2
Gearáin a mheasann Ard-Stiúrthóir IPS a bheith cráiteach, gan bhunús, nó lasmuigh de raon feidhme na rialach agus a fhoirceannann sé. Cuirtear an Cigire Príosún ar an eolas faoin gcinneadh agus na cúiseanna leis an gcinneadh [57B(5)(b)]	1	0	1	2
Gearáin a tharraingíonn príosúnaigh siar agus a chinneann an tArd-Stiúrthóir gur cheart iad a fhoirceannadh. Cuirtear OIP (a) ar an eolas agus (b) déantar na cúiseanna a dhoiciméadú [57B(5)(c)]	(a) 3 (b) 3	(a) 6 (b) 6	(a) 0 (b) 0	(a) 9 (b) 9
Gearáin a chuaigh ar aghaidh chuig Imscrúdú	61	5	11	77
Tuarascálacha iomlána ar imscrúduithe a fuair an Chigireacht	25	25	0	50
Tuarascálacha eatramhacha a cuireadh faoi bhráid na Cigireachta	9	9	0	18
Líon na dtuarascálacha a fuarthas inar glacadh nó inar seasadh leis an ngearán	2	4	0	6



**Tábla 8: Riachtanais agus Comhlíonadh Rial 57B**

Rial 57B de Rialacha na bPríosún 2007-2017	% Comhlíonta 2020	% Comhlíonta 2019	% Comhlíonta 2018
Fógra ón nGobhanóir chuig an gCigire Príosún taobh istigh de sheacht lá tar éis dó eolas faoin ngearán a fháil [57B(4)]	73 (81.11%)	53 (79.10%)	65 (82.27%)
Cuirfear an Cigire Príosún ar an eolas faoi cheapachán an imscrúdaitheora [57B(5)(a)]	2 (2.22%)	20 (29.85%)	0 (0%)
Gearáin a mheasann Ard-Stiúrthóir IPS a bheith cráiteach, gan bhunús, nó lasmuigh de raon feidhme na rialach agus a fhoirceannann sé. Cuirtear an Cigire Príosún ar an eolas faoin gcinneadh agus na cúiseanna leis an gcinneadh [57B(5)(b)]	N=2 2 (100%)	N=1 1 (100%)	N=4 4 (100%)
Gearáin a tharraingíonn príosúnaigh siar agus a chinneann an tArd-Stiúrthóir gur cheart iad a fhoirceannadh. Cuirtear an Cigire Príosún (a) ar an eolas agus (b) déantar na cúiseanna a dhoiciméadú [57B(5)(c)]	N=9 (a) 9 (100%) (b) 9 (100%)	N=3 (a) 3 (100%) (b) 3 (100%)	N=7 (a) 7 (100%) (b) 5 (71%)
Gearáin a chuaigh ar aghaidh chuig imscrúdú	77 (85.55%)	65 (97.01%)	68 (86.07%)
Tuarascálacha iomlána ar imscrúduithe a fuair OIP	25 (32.46%)	15 (23.07%)	22 (32.35%)
Tuarascálacha ar imscrúduithe a fuarthas laistigh de 3 mhí	2 (3.07%)	1 (1.53%)	0 (0%)
Tuarascálacha eatramhacha a cuireadh faoi bhráid OIP	9 (12%)	2 (3.12%)	0 (0%)
Líon na dtuarascálacha ar imscrúduithe a fuarthas inar glacadh nó inar seasadh leis an ngearán	2(8%)	5(33.33%)	2(9.09%)

Mar a léirítear i **dTábla 8**, fuair an Chigireacht idir 79.10% agus 82.27% d'fhógraí faoi ghearáin i gCatagóir A laistigh de sheacht lá ar an ngearán a thabhairt chuig an nGobharnóir le linn na tréimhse trí bliana. Ar an iomlán in 2020, fuarthas 17 fógra lasmuigh den chreat ama reachtúil seacht lá.

Chuir IPS an Chigireacht ar an eolas maidir le ceapachán beirt imscrúdaitheoirí sa bhliain 2020; chuaigh comhlíonadh na Rialach seo in olcas in 2020 le hais na bliana 2019 ina bhfuair an Chigireacht 20 fógra dá leithéid. Chuir IPS an Chigireacht ar an eolas gur imríodh drochthionchar ar ghearáin ó phríosúnaigh a imscrúdú mar gheall ar COVID-19, a raibh moilleanna ag baint leis maidir le himscrúdaitheoirí a cheapadh mar gheall ar na srianta a cuireadh i bhfeidhm ar phríosúnaigh, ar bhaill foirne na bpríosún agus ar chuairoteoirí ag dul isteach sna príosúin.

In 2020 agus 2019 b'ionann 100% comhlíonadh na Rialach 57B(5)(b) agus 57B(5)(c). Chuir IPS cúiseanna ar fáil maidir le gearáin a measadh a bheith cráiteach, gan bhunús, nó lasmuigh de raon feidhme na rialach mar aon leis na cúiseanna a bhain le tarraingt siar ar bith.

Bhí 65 fógra nua faoi ghearán sa chéad naoi mí den bhliain 2020. Dá ndéanfaí gearán ar bith sna trí mhí deiridh den bhliain, níor ghá go gcuirfí iad i gcrích lasmuigh den chreat ama trí mhí. I gcásanna

nach gcuirtear imscrúdú i gcrích laistigh de thrí mhí ar dháta an ghearáin, ní mór don imscrúdaitheoir tuarascáil eatramhach a chur ar fáil don Ghobharnóir ina dtaifeadtar an dul chun cinn atá déanta agus na cúiseanna a bhfuil am breise ag teastáil chun an tuarascáil a chur i gcrích. Ní mór cóip de na tuarascálacha seo a chur ar fáil do OIP faoin Riail 57B(10)(a).

Maidir leis na 63 cas nár cuireadh i gcrích laistigh den trí mhí sonraithe, ní bhfuair an Chigireacht ach naoi dtuarascáil eatramhacha. Tá sé seo ina leibhéal íseal maidir le comhlíonadh an dlí. Mar shampla, i gcás amháin inar cuireadh ar an eolas muid faoi ghearán i gCatagóir A ar an 16 Bealtaine 2019, fuaireamar fógra eile faoin ngearán céanna ar an 20 Lúnasa 2019 agus ceapadh imscrúdaitheoir ar an 24 Lúnasa 2019. Léiríodh an t-imscrúdú a bheith ina imscrúdú leanúnach i dtuaisceáin mhíosúla na bpríosún 2020 suas go dtí Iúil 2020, an mhí sin san áireamh. Ní bhfuarthas aon tuarascáil eatramhach ó IPS agus i ndiaidh fiosrúcháin a rinne an Chigireacht cuireadh ar an eolas muid gur cuireadh deireadh leis an imscrúdú an 30 Samhain 2019. Fuaireamar tuarascáil achomair maidir leis an imscrúdú ar an 13 Lúnasa 2020. Faoi dheireadh na bliana, ní bhfuarthas fós an tuarascáil iomlán ar an imscrúdú. Ní raibh an próiseas seo i gcomhréir le Riail na bPríosún 57B.

I mí Iúil 2020, fuair an Chigireacht fógra ó Cheanncheathrú IPS maidir le himscrúdaitheoirí a bheith ceaptha chun 12 ghearán i gCatagóir A a rinneadh i bPríosún Phort Laoise, ag dul siar go 2018 a iniúchadh. Cuireadh an Chigireacht ar an eolas go raibh athbhreithniú á dhéanamh ar nósanna imeachta áitiúla i bPríosún Phort Laoise lena chinntiú nach dtarlódh cás den chineál céanna sa todhchaí. B'ionann líon iomlán na ngearán i gCatagóir A a luaigh an Chigireacht i dTuarascáil Bhliantúil 2018 agus 79, ach ba é 91 an líon ceart ba chóir a bheith i gceist ag féachaint do na fógraí a fuarthas sa bhliain 2020.<sup>11</sup>

Tá droch-chomhlíonadh an dlí ag IPS maidir le gearáin ó phríosúnaigh ina ábhar imní. Tá oibríocht an chórais reatha easnamhach agus neamhiontaofa mar gheall ar neamhchomhlíonadh ag IPS. Tá sé ríthábhachtach go mbeadh iontaobh ag príosúnaigh, ag baill foirne na bpríosún agus ag an bpobal go bhfuil córas gearáin i bhfeidhm do phríosúnaigh atá láidir agus cothrom. Ní hamhlaidh an cás ar an drochuair, agus is é tuairim na Cigireachta, mar atá léirithe i roinnt Tuarascálacha roimhe seo, nach bhfuil an córas reatha maidir le Gearáin Príosún oiriúnach don fheidhm.

I mí Feabhra 2021, le linn na tréimhse a raibh an tuarascáil seo á hullmhú, chuir IPS an Chigireacht ar an eolas go bhfuil 13 imscrúdaitheoir gníomhach ar fáil faoi láthair maidir le gearáin thromchúiseacha, ar chuir roinnt acu teorainn leis an líon príosún nó an limistéar geografach ina n-oibreoidh siad. Chomh maith leis sin, chuir IPS faisnéis eile ar fáil gur cuireadh iarratas isteach chuig an Oifig um Sholáthar Poiblí (OGP) chun tairiscint a chur amach do chuideachtaí imscrúdaithe chun imscrúdaithe a dhéanamh ar ghearáin thromchúiseacha faoi Riail na bPríosún 57B. Cuireadh aighneacht ar mhaoiniú €400k chun costais na n-imscrúduithe a chlúdach isteach chuig an Roinn Dlí agus Cirt faoi Phróiseas Meastachán 2021, ach níor formheasadh é sin. Ina dhiaidh sin, chuaigh IPS i dteagmháil leis an Roinn Caiteachais Phoiblí agus Athchóirithe (DPER) sa bhliain 2020 agus mhol sé an ráta laethúil do dhaoine a dhéanann imscrúdú ar ghearáin faoi Riail na bPríosún 57B a ardú, os rud é gurb é DPER a leagan síos na rátaí sin. I mí Eanáir 2021, cuireadh IPS ar an eolas nach raibh DPER in ann na rátaí a athbhreithniú i láthair na huaire mar gheall ar an stádas buiséid a bhí ag teacht chun cinn. Mar gheall air sin, chuir IPS in iúl dúinn go mbeidh sé ina dhúshlán mór a chinntiú go sanntar imscrúdaitheoirí agus go gcuirtear imscrúduithe ar ghearáin thromchúiseacha i gcrích go tráthúil i rith na bliana 2021.

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<sup>11</sup> Féach, Tuarascáil Bhliantúil 2018, leathanach 15.

### 4.3 Staid an Chórais Nua Gearán Príosúnach

Thuairiscigh an Chigireacht i dTuarascáil Bhliantúil 2019 go raibh sé i gceist ag IPS Córas Gearán nua Príosúnach a chur ar bun agus a chur i bhfeidhm a dhéanfaí a chur i bhfeidhm faoi dheireadh na bliana 2019.<sup>12</sup> Cuireadh an Chigireacht ar an eolas arís le linn na bliana 2020 go raibh sé i gceist ag IPS an córas nua a bheith i bhfeidhm ar fud an eastáit faoi dheireadh na bliana 2020, ach d'fhonn é a chur i bhfeidhm, níor mhór an reachtaíocht a leasú trí lonstraim Reachtúil agus acmhainní tiomnaithe breise a bheith ar fáil. Amhail an 31 Nollaig 2020, níor cuireadh an córas i bhfeidhm.

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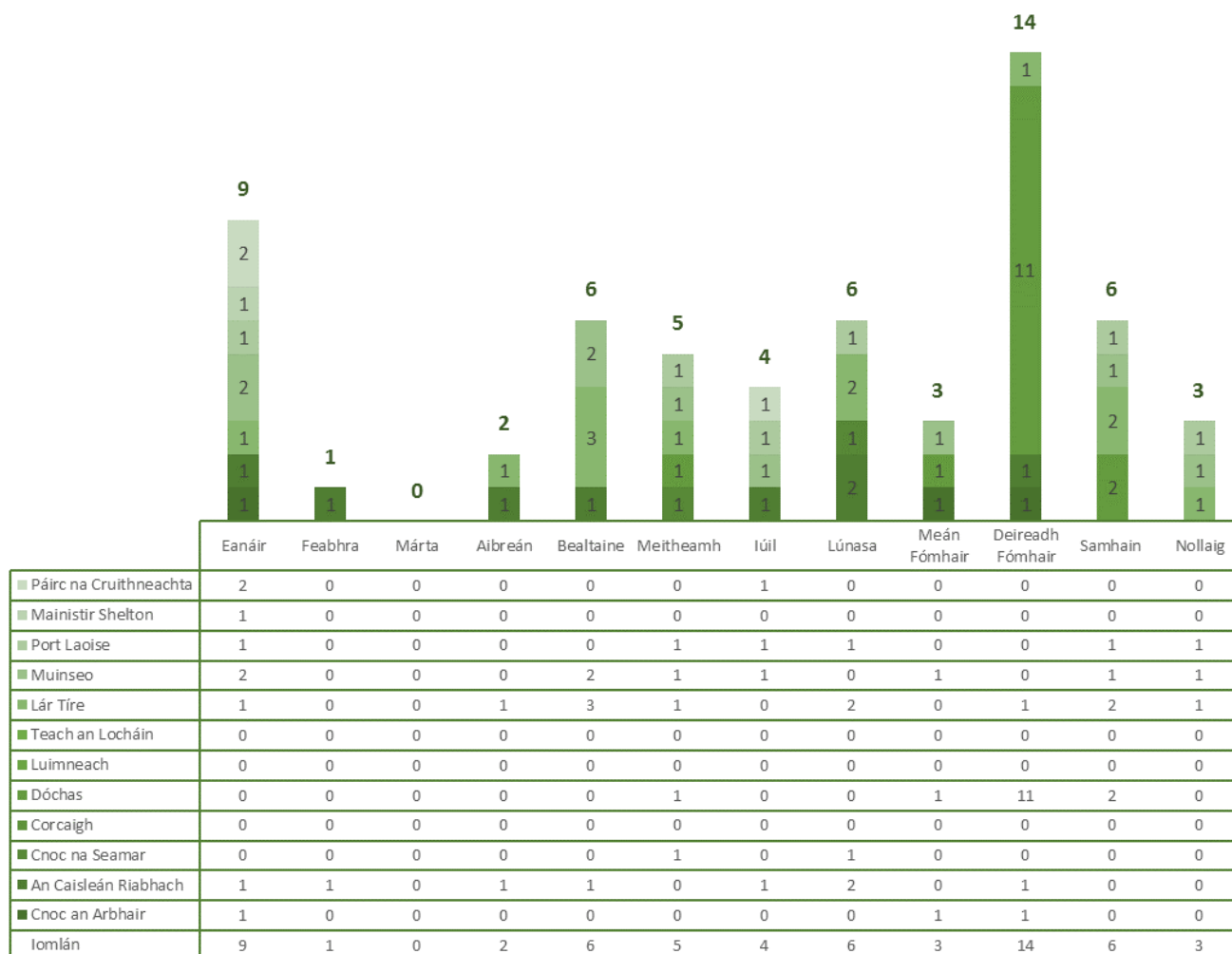
<sup>12</sup> Tuarascáil Bhliantúil, 2019, leathanach 49.

## 5 LITREACHA Ó PHRÍÓSÚNAIGH

De réir Riall 44 (1) (h) de Rialacha na bPríosún 2007 - 2020, tá príosúnach i dteideal litir nár osclaíodh a sheoladh agus a fháil ón gCigire Príosún.

In 2020, fuair Oifig an Chigire Príosún 59 Litir Riall 44 ó phríosúnaigh. Tháinig na litreacha seo ó naoi bpríosún, agus ní bhfuarthas aon litreacha ó Phríosún Chorcaí, ó Phríosún Luimnigh ná ó Theach an Locháin. I **bhFíor 3**, cuirtear sonraí ar fáil maidir leis an mí a fuarthas gach aon litir mar aon leis an bpríosún ónar seoladh í:

**Fíor 3: Litreacha a seoladh ó Phríosúnaigh faoi Riall 44 de Rialacha na bPríosún**



I **dTábla 9**, déantar comparáid idir an líon litreacha Riall 44 a fuarthas ó gach aon phríosún in 2020 le hais na bliana 2019.

**Tábla 9: Litreacha Riail 44, Comparáid leis an mbliain roimhe**

<b>Ionad Coinneála</b>	<b>Líon Iomlán Litreacha 2020</b>	<b>Líon Iomlán Litreacha 2019</b>
Cnoc an Arbhair	3	2
An Caisleán Riabhach	8	3
Cnoc na Seamar	2	6
Corcaigh	0	0
Príosún na mBan Mhuinseo Ionad Dóchas	15	2
Luimneach	0	0
Teach an Locháin	0	0
Lár Tíre	12	12
Muinseo	9	11
Port Laoise	6	8
Mainistir Shelton	1	1
Páirc na Cruithneachta	3	1
<b>Iomlán</b>	<b>59</b>	<b>46</b>

## 6 IMSCRÚDUITHE

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### 6.1 Básanna faoi Choimeád

De bhun Alt 31 (2) d'Acht na bPríosún 2007, d'iarr an tAire Dlí agus Cirt ar an gCigire imscrúdú a dhéanamh ar gach Bás faoi Choimeád (DiC), lena n-áirítear bás duine laistigh de mhí amháin ar Scaoileadh Sealadach/Scaoileadh ar Cheadúnas sa phobal. Seo a leanas cuspóirí imscrúduithe DiC na gCigireachta.

Is iad cuspóirí imscrúduithe DiC na gCigireachta ná:

- Na himthosca agus na himeachtaí a bhaineann leis an mbás a fháil amach, lena n-áirítear an cúram sláinte a sholáthair IPS;
- A fhiosrú an bhféadfadh aon athruithe ar mhodhanna oibríochta, beartais, cleachtais nó socruithe bainistíochta IPS cabhrú le bás den chineál céanna a chosc sa todhchaí;
- A chinntiú go bhfuil deis ag teaghlach an phríosúnaigh aon imní atá acu a léiriú, agus an méid sin a chur san áireamh san imscrúdú;
- Cabhrú le hoibleagáid imscrúdaithe an Chróinéara faoi Airteagal 2 den Choinbhinsiún Eorpach um Chearta an Duine, trína chinntiú a mhéid is féidir go dtugtar na fíricí iomlána chun solais agus go nochtar aon mhainneachtain ábhartha, go n-aithnítear aon chleachtas inmholta, agus go bhfoghlaimítear aon cheachtanna ón mbás.

Cuireadh an Chigireacht ar an eolas maidir le 13 bhás a tharla idir an 1 Eanáir agus an 31 Nollaig 2020; tharla cúig bhás nuair a bhí an duine ar Scaoileadh Sealadach. Maidir leis na hocht mbás a tharla nuair a bhí an duine faoi choimeád, tharla dhá cheann i gCnoc an Arbhair, dhá cheann i Luimneach, ceann amháin i bPáirc na Cruithneachta, ceann amháin sa Chaisleán Riabhach, ceann amháin i gCnoc na Seamar agus ceann amháin i bPríosún Chorcaí. **(Fíor 4).**

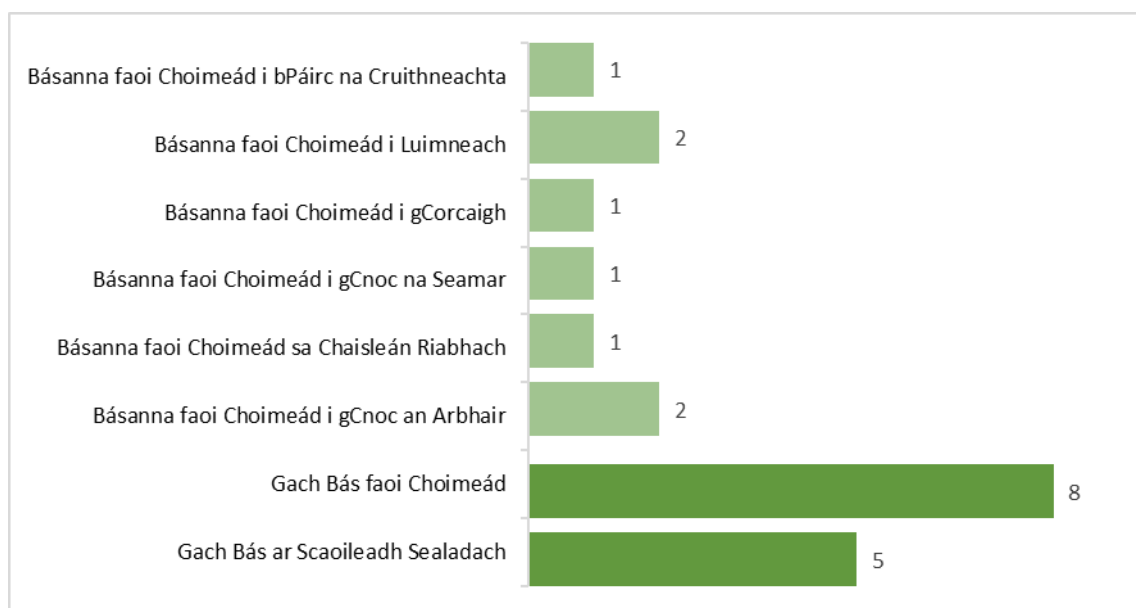
Foilsíodh deich dtuarascáil imscrúdaithe sa bhliain 2020<sup>13</sup>, bhain ocht gcinn acu sin le básanna a tharla in 2018 agus tharla dhá cheann de na básanna seo in 2019. Maidir leo sin, d'ullmhaigh IPS Pleananna Gníomhaíochta mar fhreagra ar mholtaí a rinneadh in ocht dtuarascáil (Aguisín 11.3). Níor áiríodh moltaí in dhá cheann de na tuarascálacha imscrúdaithe.

I **bhFíor 4**, tugtar miondealú ar bhásanna a tharla in 2020 de réir an phríosúin, ar fir a bhí iontu ar fad.

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<sup>13</sup> Tuarascálacha imscrúdaithe maidir le Bás faoi Choimeád, <https://www.oip.ie/death-in-custody/death-in-custody-report-by-year-of-publication/>.

#### Fíor 4: Básanna a tharla in 2020 de réir an phríosúin



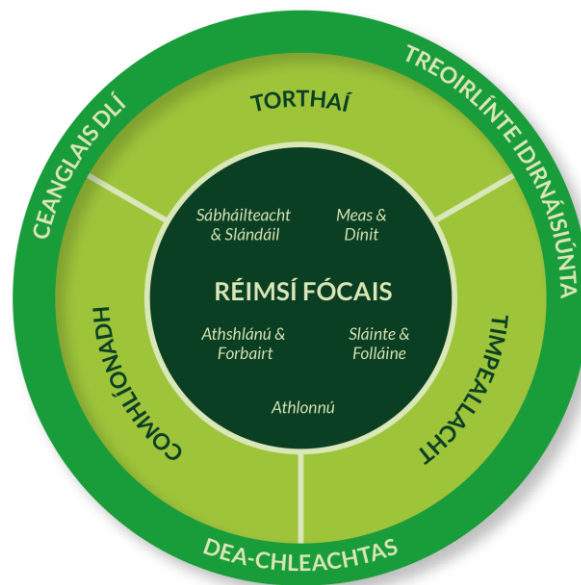
Ar an drochuair, tá riaráiste i dtuarascálacha imscrúdaithe maidir le bás faoi choimeád a dhréachtú ón mbliain 2016 i leith. Is amhlaidh an cás mar gheall ar acmhainní foirne a bheith easnamhach. Mar thoradh ar mhéadú i leithdháileadh bhuiséad na bliana 2020, bhíothas in ann acmhainní foirne breise a earcú. Cuireadh tús leis an bpróiseas earcaíochta seo i lár na bliana 2020 ónar bunaíodh dhá phainéal iarrthóirí ar éirigh leo ag leibhéal an Chigire Shinsearaigh agus ag leibhéal an Chigire. Thug an chéad triúir iarrthóirí ar éirigh leo faoi dhualgas i mí na Samhna 2020 agus tá an chuid eile le tús a chur lena bhfostaíocht faoi lár na bliana 2021.

## 6.2 Imscrúdú faoi Alt 31(2) ar larratas ón Aire

I mí Iúil na bliana 2020 chuir an Cigire ábhar imní in iúl don Aire. D'iarr an tAire ar an gCigire imscrúdú a dhéanamh faoi Alt 31 (2) d'Acht na bPríosún 2007. Comhaontaíodh na Téarmaí Tagartha i mí Mheán Fómhair 2020. Bhí an t-imscrúdú fós ar siúl ag deireadh na bliana.

## 7 SEOLADH AN CHREATA CIGIREACHTA DO PHRÍOSÚIN IN ÉIRINN

Ar an 15 Meán Fómhair 2020, d'fháiltigh an tAire Dlí agus Cirt, Helen McEntee TD, roimh fhoilsiú an Chreata Chigireachta do Phríosúin in Éirinn.<sup>14</sup> Bhí an seoladh don Chreat Cigireachta beartaithe ar dtús do mhí an Mhárta 2020, ach cuireadh an t-imeacht ar athlá mar gheall ar COVID-19 agus tionóladh é go fíorúil.



Leagtar amach sa Chreat Cigireachta an bealach ina gcuirfidh an Chigireacht cigireachtaí i gcrích i bpríosúin in Éirinn. Chun na críche sin, tá an Creat bunaithe ar chúig Réimse Fócais, a dhéantar a thomhas in aghaidh trí dhiminsin. Is iad na Réimsí Fócais na príomhghnéithe a théann i bhfeidhm, agus atá ina léiriú ar leas agus cearta daonna na bpríosúnach agus daoine eile a oibríonn i bpríosúin agus a thugann cuairt orthu: Sábháilteacht & Slándáil, Meas & Dínit, Athshlánú & Forbairt, Sláinte agus Folláine, agus Athlonnú. Is iad na Diminsin na critéir uileghabhálacha agus leathana a bhaineann le cigireacht a dhéanamh. Úsáidfear trí Dhiminsin, Torthaí, Comhlíonadh agus Timpeallacht, chun measúnú a dhéanamh ar gach aon cheann de na Réimsí Fócais. Déanfar measúnú ar na Réimsí Fócais agus na Diminsin trí úsáid a bhaint as tomhais a bhaintear as réimse foinsí lena n-áirítear ceanglais dlí, dea-chleachtas agus treoirlínte idirnáisiúnta.

Forbraíodh an Creat Cigireachta do Phríosúin in Éirinn i gcomhairle le réimse leathan páirtithe leasmhara in Éirinn agus thar lear, lena n-áirítear An Roinn Dlí agus Cirt, IPS, An Roinn Oideachais agus Scileanna, eagraíochtaí neamhrialtais, Acadóirí, Comhairle na hEorpa, acadóirí agus saineolaithe eile.

Cuirfidh an Chigireacht a chéad chuairteanna cigireachta i gcrích faoi threoir an Chreata Cigireachta le linn na bliana 2021.

<sup>14</sup> An Creat Cigireachta do Phríosúin in Éirinn (2020) <https://www.oip.ie/launch-of-the-framework-for-the-inspection-of-prisons-in-ireland/>



## **8 SCÉIM GHINEARÁLTA DON DRÉACHT-BHILLE UM CHIGIREACHT A DHÉANAMH AR IONAIÐ CHOINNEÁLA**

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In 2018, d'iarr An Roinn Dlí agus Cirt ar an gCigireacht aighneacht a dhéanamh maidir le Scéim don Dréacht-Bhille um Chigireacht a Dhéanamh ar Ionaid Choinneála 2014. Chuir an Cigire a tuairimí isteach an 20 Meán Fómhair 2020 ach is é tuiscint an Chigire go bhfuil sé cóir a bheith réidh. Chuir an Roinn an Chigireacht ar an eolas go gcuirfí tús le teagmháil leis an Oifig i dtús na bliana 2021.

## 9 RANNPHÁIRTÍOCHT SHEACHTRACH

Bhain an Chigireacht leas as réimse deiseanna chun dul i dteagmháil le páirtithe leasmhara laistigh agus lasmuigh de IPS araon, lena n-áirítear an méid seo a leanas, ach gan a bheith teoranta dóibh:

### 9.1 Cuairteanna Ionduchtaithe

Chuaigh an Chigireacht i mbun líonraithe agus malartaithe idir-rannaigh trí chuairteanna ionduchtaithe a thabhairt ar Phríosún Mhuinseo agus ar Ionad Dóchas in éineacht leis an Údarás um Fhaisnéis agus Cáilíocht Sláinte (HIQA), An Príomhchigire Seirbhísí Sóisialacha agus an Stiúrthóir Rialála agus trí chuairt a thabhairt ar Phríosún Chnoc na Seamar in éineacht leis an gCigire Seirbhísí Meabhair-Shláinte agus Príomhoifigeach Feidhmiúcháin an Choimisiúin Mheabhair-Shláinte (MHC).

### 9.2 Imeachtaí

#### **An Chomhdháil *Instance Nationale pour la Prévention de la Torture***

Collóiciam Idirnáisiúnta um Monatóireacht a Dhéanamh ar Ionaid ina mBaintear Saoirse i gComhthéacs COVID-19, an 18 Nollaig 2020. / *Láthair*

#### **Seimineár Gréasáin Iontaobhas Zahid Mubarek, Ollscoil Bhriostó agus Royal Holloway University of London**

*Monatóireacht a Dhéanamh ar Ionaid Choinneála le linn na Paindéime*, an 17 Nollaig 2020. *Rannpháirteach*

#### **Seimineár Gréasáin an Lárionaid um Staidéar Coireachta agus Cirt**

*An Coróinvíreas i bPríosúin: Cad atá ar siúl ar fud na hEorpa?*, an 3 Nollaig 2020. / *Láthair*

#### **An Chomhdháil – Príosúin: Rialail an Dlí, Cuntasacht agus Cearta (PRILA)**

Reáchtáladh comhdháil don tionscadal PRILA, atá bunaithe i Scoil an Dlí, Coláiste na Tríonóide, Baile Átha Cliath maidir le Maoirseacht a dhéanamh ar Phríosúin, comhdháil fhíorúil, an 26 Samhain 2020. *Rannpháirteach i nDíospóireacht Phainéil*

#### **Seimineár Gréasáin Ollscoil Nottingham agus Ombudsman um Phríosúin agus Promhadh na RA**

*Básanna i bPríosúin a Laghdú: Ag Foghlaim ó Thaithí Saoil Príosúnach?*, an 3 Samhain 2020. / *Láthair*

#### **An Cúigiú Cruinniú Comhcheime de chuid na Gníomhaireachta um Chomhionannas Cirt**

An 16 Meán Fómhair 2020

#### **Seimineár Gréasáin do Sheoladh an Chreata Cigireachta do Phríosúin in Éirinn**

Imeacht chun an Creat Cigireachta nua a sheoladh, a raibh acadóirí, cleachtóirí idirnáisiúnta agus náisiúnta agus ionadaithe ón Roinn Dlí agus Cirt agus IPS i láthair ann, an 15 Meán Fómhair 2020.

## **Comhdháil de chuid OHCHR agus an Chumainn um Chéastóireacht a Chosc**

*Ag Troid i gCoinne Céastóireachta agus Drochíde le linn COVID-19: Fianaise ón Talamh, an 26 Meitheamh 2020. / Láthair*

## **Seimineár lontaobhas Zahid Mubarek (ZMT) agus lontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil (IPRT)**

*An Caidreamh idir an tSochaí Shibhialta agus Meicníochtaí Náisiúnta Coisctheacha, imeacht maidir le hiarrachtaí comhordaithe idir NMPna agus an tsochaí shibhialta, an 26 Meitheamh 2020. Rannpháirteach*

## **Cruinniú Athbhreithnithe Comhchéime maidir le An Éifeacht atá ag Clutharú ar Dhaoine i bPríosún a Fheabhsú**

*Ag an gcéim dréachtaithe den tuarascáil An Éifeacht atá ag Clutharú ar Dhaoine i bPríosún a Fheabhsú, thionóil an Chigireacht cruinniú athbhreithnithe comhchéime maidir leis na chéad torthaí an 25 Meitheamh 2020. D'fhreastail réimse leathan páirtithe leasmhara ar an imeacht seo ó IPS, an saol acadúil agus an tsochaí shóisialta, mar aon le hionadaithe ó Chrois Dhearg na hÉireann, lena n-áirítear oibrí deonach de chuid na Croise Deirge atá faoi choimeád. Imeacht a ndearna an Chigireacht éascaíocht air.*

## **Imeacht Seolta de chuid na Roinne Dlí agus Cirt**

*Seoladh na Tuarascála Taighde maidir le hAtitímeachas agus Freagraí Beartais, an 17 Bealtaine 2020. / Láthair*

## **Físchomhdháil de chuid an Choiste um Chéastóireacht a Chosc**

*Imeacht trí chuireadh amháin chun feidhm mhaoirseachta príosúin agus gníomhaíochtaí na Cigireachta le linn COVID-19 a phlé, an 13 Bealtaine 2020. Rannpháirteach*

## **Seimineár lontaobhas Zahid Mubarek (ZMT) agus lontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil (IPRT)**

*Human Rights and Detention in the time of COVID-19: UK and Ireland, imeacht ina raibh comhlachtaí maoirseachta agus acadóirí i láthair chun maoirseacht a dhéanamh ar choinneáil le linn COVID-19 a phlé, an 29 Aibreán 2020. Rannpháirteach*

## **Seimineár Gréasáin de chuid na Croise Deirge**

*Imeacht maidir le COVID-19, an 15 Aibreán 2020. / Láthair*

## **Ceardlann – Príosúin: Riail an Dlí, Cuntasacht agus Cearta (PRILA)**

*Reáchtáladh ceardlann don tionscadal PRILA, atá bunaithe i Scoil an Dlí, Coláiste na Tríonóide, in éineacht le rannpháirtithe ó CPT, an Fochoiste um Chéastóireacht a Chosc (SPT) agus comhlachtaí maoirseachta eile, ceardlann fhíorúil an 2 Aibreán 2020. / Láthair*

## **Seimineár de chuid an Chumainn um Thaighde agus Forbairt maidir le Ceartas Coiriúil (ACJRD)**

*Imeacht bunaithe ar thaighde ón tionscadal Acmhainneacht an Phobail a Fhorbairt, an 19 Marta. / Láthair*

## Bronnadh Céime an Chláir Idirghabhála Piara, Príosún an Chaisleáin Riabhaigh

Imeacht a reáchtáladh sa phríosún chun aitheantas a thabhairt do chéimithe an Chláir, an 25 Feabhra 2020. / Láthair

## Seoladh do Thuarascáil ó Iontaobhas na hÉireann um Athchóiriú (IPRT)

D'fhreastail an Cigire ar an seoladh agus thug sí freagra ar an tuarascáil, *Making Rights Real for People with Disabilities in Prison* an 15 Eanáir 2020. Freagróir

### 9.3 Rannpháirtíocht le Páirtithe Leasmhara

Leanann Oifig an Chigire Príosún d'oibriú in éineacht agus i gcomhairle lenár bPáirtithe Leasmhara, lena n-áirítear An Roinn Dlí agus Cirt, IPS agus príomhpháirtithe leasmhara eile. Le linn na bliana 2020, chas Oifig an Chigire Príosún le líon páirtithe agus comhpháirtithe leasmhara chun tuairimí a mhalartú agus caidreamh a fhorbairt.

Rinne an Chigireacht cur i láthair d'Oifigigh Príosún i mbun Earcaíochta trí huaire, i mí Eanáir, mí Aibreáin agus Mí an Mheithimh 2020, maidir le ról agus feidhm Oifig an Chigire Príosún.

Ghlac an Chigireacht páirt i gcruinnithe le:

- Oifigigh ón Roinn Dlí agus Cirt;
- Ard-Stiúrthóir agus Bainistíocht Shinsearach IPS;
- An tÚdarás um Fhaisnéis agus Cáilíocht Sláinte (HIQA);
- Príosúin: Riail an Dlí, Cuntasacht agus Cearta (PRILA);
- Comhairle um Chearta an Duine;
- Ollscoil Luimnigh, Scoil an Dlí;
- Ollscoil Mhá Nuad, Scoil an Dlí;
- An Chigireacht – An Roinn Oideachais;
- Cúram i ndiaidh Príosúin;
- Iontaobhas na hÉireann um Athchóiriú an Chórais Choiriúil (IPRT);
- Comhordaitheoir an Chláir um Dhaoine den Lucht Siúil i bPríosún;
- Líonra Idirnáisiúnta na gComhlachtaí Maoirseachta;
- An Coiste Eorpach um Chéastóireacht a Chosc (CPT).

### 9.4 Foilseacháin

Rinne an Chigireacht roinnt alt tráchtairachta a fhorbairt agus a fhoilsiú sa bhliain 2020. Is iad sin:

- P. Gilheaney 'Monatóireacht a Dhéanamh ar Phríosúin le linn na Paindéime COVID-19' (Meitheamh 2020) Sraith Blag PRILA *Ask an Expert*. <https://prilatcd.wordpress.com/june-2020/>
- P. Gilheaney 'Maoirseacht agus Neamhspleáchas Éifeachtach Príosún in Éirinn (Márta 2020) 4 Líonra ag Oibriú i gComhar: Maoirseacht Sheachtrach Príosún agus Cearta an Duine, 13-17.

## 10 FAISNÉIS CHORPARÁIDEACH

### 10.1 Faisnéis Airgeadais

Faigheann Oifig an Chigire Príosún maoiniú faoin Vóta Dlí agus Cirt (Vóta 24), a bhfuil an tArd-Rúnaí ina Oifigeach Cuntasaíochta dó. In 2020, fuair an Oifig leithdháileadh buiséid €1.2m. Bhí sábháil €562,000 i gceist ag deireadh na bliana. Bhí an chuid is mó den tsábháil san fho-cheannteideal pá arbh ionann é agus €403,000 agus a bhí ann mar gheall ar an bpróiseas earcaíochta fadréimseach agus gan ach triúr ag glacadh le fostaíocht i mí na Samhna 2020. B'ionann sábháil maidir le caiteachas neamhphá agus €159,000 ós rud é as nach raibh na costais taistil agus cothabhála agus costais neamhphá eile a bhí tuartha i gceist.

	<b>Leithdháileadh Buiséid 2020</b>	<b>Olltoradh Iarbhír 2020</b>	<b>Sábháil (+) Róchaiteachas (-)</b>
<b>Pá</b>	€824,000	€421,000	+ €403,000
<b>Neamhphá</b>	€376,000	€217,000	+ €159,000
<b>Iomlán</b>	€1,200,000	€638,000	+ €562,000

### 10.2 Nochtuithe Cosanta

Ós rud é go bhfuil Oifig an Chigire Príosún ina hoifig fheidhmiúcháin faoi choimirce na Roinne Dlí agus Cirt, ghlac an Oifig Beartas um Nochtuithe Cosanta na Roinne mar bheartas dá cuid féin maidir le nochtuithe cosanta san ionad oibre. I gcomhréir le riachtanais maidir le tuairisciú, dearbhaítear nach bhfuarthas aon tuarascálacha um nochtuithe cosanta in 2020.

### 10.3 Dualgas Comhionannais agus Cearta Daonna san Earnáil Phoiblí

Glacann Oifig an Chigire Príosún lena cuid freagrachtaí faoi Alt 42 den Acht um Choimisiún um Chearta an Duine agus Comhionannas 2014 agus tá sí tiomanta a chinntiú go gcomhlíonann sí iad, a leagann oibleagáid dhearfach ar chomhlachtaí poiblí aird a thabhairt, i gcomhlíonadh a bhfeidhmeanna, ar an ngá atá le deireadh a chur le leithcheal, comhionannas deiseanna a chur chun cinn agus cearta daonna na foirne agus na ndaoine a gcuirtear seirbhísí ar fáil dóibh a chosaint. Dá réir sin, in 2020, chuir Oifig an Chigire Príosún an dualgas seo i gcroílár a cuid gníomhaíochtaí.

### 10.4 Rialachas agus Rialuithe Inmheánacha

Oifig reachtúil is ea Oifig an Chigire Príosún a bunaíodh faoi Acht na bPríosún 2007. Is é an tAire Dlí agus Cirt a cheapann an Cigire agus tá sí neamhspleách i gcomhlíonadh a feidhmeanna.

Le linn na bliana 2020, chuaigh an Chigire Príosún i gcomhairle leis an Roinn Dlí agus Cirt chun Comhaontú Maoirseachta a bhunú, de réir an Chóid Cleachtais chun Comhlachtaí Stáit a rialú (2016). Comhaontaíodh agus Comhaontú an 26 Bealtaine 2020 agus leagtar amach ann an creat leathan rialachais agus cuntasachta ina bhfeidhmíonn an Chigireacht. Sainmhínítear sa Chomhaontú na ról agus freagrachtaí barrthábhachtacha atá mar bhonn faoin gcaidreamh idir an Chigireacht agus an Roinn.

Cuireadh an fhoráil “comhlíonadh nó míniú” den Chód Cleachtais chun Comhlachtaí Stáit a Rialú (2016) i bhfeidhm i leith Oifig an Chigire Príosún. Toisc go dtagann an Oifig faoin Vóta Dlí agus Cirt (Vóta 24), níl a hAonad Iniúchóireachta Inmheánaí ná a Coiste Iniúchóireachta agus Riosca féin aici. Ní cheanglaítear uirthi Ráitis Bhliantúla Airgeadais a thabhairt ar láimh ach oiread. Tá rochtain ag an Oifig ar fheidhm Iniúchóireachta Inmheánaí agus Coiste Iniúchóireachta Inmheánaí agus Riosca na Roinne maidir le nithe rialachais airgeadais. Tuairiscíonn Aonad Bainistíochta Airgeadais na Roinne ar ioncam agus caiteachas na hOifige sna tuarascálacha míosúla bainistíochta uaidh. Caitheann an Chigire súil ar na tuarascálacha míosúla ansin. Tá nósanna imeachta i bhfeidhm chun a chinntiú go n-údarófar aon chaiteachas de réir bheartais agus nósanna imeachta na Roinne. Comhlíonann an Oifig na hoibleagáidí atá uirthi faoin dlí cánach.

Tá sé de dhualgas ar gach comhlacht poiblí in Éirinn cistí poiblí a láimhseáil go cúramach, agus a chinntiú go bhfaightear an luach is fearr ar airgead aon uair a bhíonn airgead poiblí á chaitheamh nó á infheistiú. Is é an Cód Caiteachais Phoiblí an tacar rialacha agus nósanna imeachta a chinntíonn go gcloítear leis na caighdeáin seo ar fud sheirbhís poiblí na hÉireann. Chloígh Oifig an Chigire Príosún le gach gné ábhartha den Chód Caiteachais Phoiblí.

Síníodh Comhaontú Seirbhíse athnuaite idir Oifig an Chigire Príosún agus Rannán Bainistíochta Faisnéise agus Teicneolaíochta (IM&T) na Roinne Dlí agus Cirt ar an 19 Feabhra 2020. Leagtar amach sa Chomhaontú Seirbhíse na Seirbhísí ICT a chuireann an Rannán IM&T ar fáil d'Oifig an Chigire Príosún. Chomh maith leis sin, síníodh Comhaontú Próiseála Sonraí athnuaite idir an dá pháirtí ar an 19 Feabhra 2020.

Éilítear faoin gCód Cleachtais chun Comhlachtaí Stáit a Rialú 2016 go ndéanfar Ráiteas um Rialuithe Inmheánacha (SIC) a sholáthar. Baineann an SIC le gach rialú atá i bhfeidhm in Oifig an Chigire Príosún, lena n-áirítear ceisteanna ICT. Ar an 4 Feabhra 2020, dhearbhaigh an Rannán IM&T sa Roinn Dlí agus Cirt, de réir mar is fearr is eol dóibh agus a chreideann siad, go raibh rialuithe ITC, mar a leagtar amach i Ráiteas Dearbhaithe, i bhfeidhm agus ag feidhmiú go héifeachtach in 2020.

D'fhorbair Oifig an Chigire Córas Bainistíochta Riosca agus Clár Rioscaí gaolmhar a ndéantar a athbhreithniú ar bhonn leanúnach. Leagtar amach sa Chlár Rioscaí na rialuithe reatha maidir rioscaí a mhaolú mar aon le gníomhartha chun rialuithe a fheabhsú. Cuireadh cóip nuashonraithe den Chlár Rioscaí ar fáil don Roinn Dlí agus Cirt sa bhliain 2020.

Cuireadh gníomhaíocht soláthair na hOifige sa bhliain 2020 i gcrích i gcomhairle le hoifigigh na roinne agus i gcomhréir leis na treoirlínte um sholáthar poiblí.

## 10.5 Saoráil Faisnéise

In 2020, fuair Oifig an Chigire Príosún trí iarratas faoin Acht um Shaoráil Faisnéise 2014. Bhain na hiarratais ar fad a fuarthas le faisnéis neamhphearsanta. Deonaíodh iarratas amháin i bpáirt. Faoi dheireadh na bliana, bhí cinntí maidir leis an dá iarratas eile fós le réiteach. Ní dhearnadh achomharc chuig Oifig an Choimisinéara Faisnéise i ndáil le cás ar bith.

# 11 AGUISÍNÍ

## 11.1 Teimpléad Glaonna

### MAOIRSEACHT LE LINN COVID-19 – TEAGMHÁIL LE GOBHARNÓIRÍ PRÍOSÚIN AN DAONRA I GCOITINNE

DÁTA \_\_\_\_\_ AN TÉ A RINNE AN GLAOCH \_\_\_\_\_

PRÍOSÚN \_\_\_\_\_

AN GOBHARNÓIR LENA NDEARNADH TEAGMHÁIL \_\_\_\_\_

Ceisteanna	LÍON	FREAGRAÍ
An bhfuil difríocht i réim an phríosúin mar gheall ar Covid-19?		
Cén t-achar ama lasmuigh den chillín atá ag an daonra i gcoitinne		
An bhfaigheann na príosúnaigh ar fad am lasmuigh faoin aer		
Rochtain ar cheardlann <ul style="list-style-type: none"><li>• Ionad Aclaíochta</li><li>• Clós</li><li>• Léibheann</li><li>• Áit áineasa</li><li>• Eile (sonraigh)</li></ul>		

### PRÍOSÚNAIGH AR LEITHLIS

AR LEITHLIS	LÍON	FAISNÉIS BHREISE
Líon na ndaoine ar leithlis		
An cúis/cúiseanna go bhfuil siad curtha ar leithlis i.e. <ul style="list-style-type: none"><li>• Cimiú</li><li>• Coraintín</li><li>• Clutharaithe</li><li>• Eile</li></ul>		
Líon na bpríosúnach a tástáladh do Covid-19?		

<b>Torthaí?</b> <ul style="list-style-type: none"> <li>• Diúltach</li> <li>• Dearfach</li> </ul>		
<b>Torthaí a bhfuiltear ag feitheamh orthu?</b>		
<b>Cé na srianta atá i bhfeidhm maidir le doirse na gclíní a oscailt?</b>		
<b>Sonraigh an t-achar ama lasmuigh den chillín agus teacht a bheith ar aer úr gach lá</b>		
<b>Má tá sé á chur ar fáil, an mbaineann príosúnaigh leas as am lasmuigh den chillín?</b>  <b>Má dhiúltaítear, cén chúis/cúiseanna a thugtar?</b>		
<b>Cad atá i gceist leis sin</b> <ul style="list-style-type: none"> <li>• Aclaíocht sa chlós (an rogha é)?</li> <li>• Léibheann?</li> </ul>		
<b>Conas mar a chuirtear béilí ar fáil?</b> <ul style="list-style-type: none"> <li>• Fágtha isteach sa chillín</li> <li>• Ionad Bailithe</li> </ul>		
<b>Conas mar a éascaítear teacht a bheith ar na seirbhísí a leanas?:</b> <ul style="list-style-type: none"> <li>• Séiplíneacht</li> <li>• Síceolaíocht</li> <li>• Síciatracht</li> <li>• Tacaíochtaí eile – sonraigh</li> </ul>		
<b>Conas mar a cheadaítear rochtain?</b> <ul style="list-style-type: none"> <li>• Scaradh sóisialta a chur i bhfeidhm</li> <li>• Tríd an doras</li> <li>• Tetra</li> <li>• Eile (éisteoirí, Samaritans etc</li> </ul>		
<b>Cé chomh minic is a sheiceáiltear teocht an duine?</b>		
<b>Conas mar a chuirtear cógas ar oideas ar fáil do phríosúnaigh?</b>		



<b>An bhfuil teacht acu ar Shiopa Sólaistí? Má tá:</b> <ul style="list-style-type: none"> <li>• Minicíocht,</li> <li>• Modh e.g. Mála agus Clib</li> </ul>		
<b>Glaonna gutháin. An bhfuil na glaonna gutháin bunaithe ar leibhéal IR an phríosúnaigh?</b> <ul style="list-style-type: none"> <li>• Minicíocht</li> <li>• Conas <ul style="list-style-type: none"> <li>◦ Guthán sa chillín</li> </ul> </li> </ul>		
<b>Cé na taifid a dhéantar agus a choinnítear maidir leis na daoine atá curtha ar leithlis?</b>		
<b>An bhfuil PPE ar fáil :</b> <b>An bhfuil sé á úsáid?</b> <b>Cad iad na cúinsí ina n-úsáidtear é?</b>		
<b>Sonraigh aon socruithe eile a tugadh isteach le linn na paindéime COVID-19?</b>		
<b><u>CÚISEANNA IMNÍ AR BITH?</u></b>		

#### **PRÍOSÚNAIGH ATÁ AG CLUTHARÚ**

<b>CLUTHARAITHE</b>	<b>LÍON TÁ/NÍL</b>	<b>FAISNÉIS BHREISE / SONRAÍ</b>
<b>An líon daoine atá clutharaithe</b> <ul style="list-style-type: none"> <li>• Léibheann</li> <li>• Sciathán</li> </ul>		
<b>Cén cineál ‘am lasmuigh den chillín’ a chuirtear ar fáil?</b>		
<b>Faigh sonraí</b> <ul style="list-style-type: none"> <li>• Cé mhéad ama lasmuigh den chillín a chuirtear ar fáil go laethúil?</li> <li>• Cad atá i gceist le ham lasmuigh den chillín? <ul style="list-style-type: none"> <li>◦ Aclaíocht chlóis (an rogha é)</li> <li>◦ Léibheann</li> <li>◦ Ionad Aclaíochta</li> <li>◦ Leabharlann</li> <li>◦ Seomra Áineasa</li> <li>◦ Eile</li> </ul> </li> </ul>		
<b>Conas mar a chuirtear béilí ar</b>		

<b>fáil?</b> <ul style="list-style-type: none"> <li>• Fágtha isteach sa chillín</li> <li>• Bailiú lárnach</li> </ul>		
<b>Conas mar a chuirtear cógas ar oideas ar fáil do phríosúnaigh?</b>		
<b>Conas mar a éascaítear teacht a bheith ar na seirbhísí a leanas?:</b> <ul style="list-style-type: none"> <li>• Séiplíneacht</li> <li>• Síceolaíocht</li> <li>• Síciatracht</li> <li>• Tacaíochtaí eile – sonraigh</li> </ul>		
<b>Conas mar a cheadaítear idirghníomhú sóisialta?</b> <ul style="list-style-type: none"> <li>• Scaradh sóisialta a chur i bhfeidhm</li> <li>• Tríd an doras</li> <li>• Tetra</li> <li>• Eile (éisteoirí, Samaritans etc)</li> </ul>		
<b>Conas mar a éascaítear orduithe don Siopa Sólaistí?</b> <ul style="list-style-type: none"> <li>• Minicíocht</li> <li>• Mála agus Clib?</li> </ul>		
<b>An ndéantar éascaíocht ar ghlaonna gutháin?</b> <b>Má tá príosúnach ar an réim chaighdeánach nó bhunúsach, an bhfuil sé/sí teoranta don líon céanna glaonna a raibh ar fáil dó/dí roimh chlutharú?</b> <ul style="list-style-type: none"> <li>• Minicíocht an ghlaio</li> </ul>		
<b>Conas mar a dhéantar agus a choinnítear taifid maidir le daoine atá ‘clutharaiathe’</b>		
<b>An bhfuil PPE ar fáil má iarrtar?</b>		
<b>Cúis imní ar bith?</b>		

## 11.2 I.R. 250/2020 – Rialacha na bPríosún (Leasú), 2020

Foilsíodh fógra san Iris Oifigiúil an 21 Iúil 2020, á rá go ndearnadh an Ionstraim Reachtúil seo.

I bhfeidhmiú na gcumhachtaí a thugtar dom le halt 35 d'Acht na bPríosún, 2007 (Uimh. 10 de 2007) (arna oiriúnú leis an Ordú Dlí agus Cirt agus Athchóirithe Dlí (Ainm na Roinne agus Teideal an Aire a Athrú), 2011 (I.R. Uimh. 138 de 2011)), déanaimse, EILÉANA NIC AN tSAOI, Aire Dlí agus Cirt agus Comhionannais, leis seo, na rialacha seo a leanas:

1. (1) Rialacha na bPríosún (Leasú), 2020 is teideal do na Rialacha seo.

(2) Rialacha na bPríosún, 2007 go 2020 is teideal do na Rialacha seo agus Rialacha na bPríosún, 2007 go 2018 le chéile.

(3) Tiocfaidh na Rialacha seo i ngníomh an 20 Iúil 2020.

2. Sna Rialacha seo, ciallaíonn “Príomh-Rialacha” Rialacha na bPríosún, 2007 (I.R. Uimh. 252 de 2007).

3. Leasaítear na Príomh-Rialacha tríd an riail seo a leanas a chur isteach i ndiaidh Riail 32:

“32A (1) I gcás go mbeidh an tArd-Stiúrthóir den tuairim, ag féachaint do chomhairle nó treoirlínte ón Roinn Sláinte nó Feidhmeannacht na Seirbhíse Sláinte, nó moladh ón Stiúrthóir Seirbhísí Cúraim Sláinte do Phríosúnaigh nó dochtúir príosúin, gur gá déanamh amhlaidh chun leathadh galair aicídigh a shonraítear de réir Rialachán 6 de na Rialacháin um Ghalair Aicídeacha (I.R. Uimh. 390 de 1981) agus de réir an Sceidil a ghabhann leis na Rialacháin sin, a chosc nó a theorannú laistigh de phríosún, féadfaidh sé nó sí a ordú do Rialtóir an phríosúin sin –

(a) an teideal chuig caitheamh aimsire fisiciúil, cleachtadh coirp nó oiliúint faoi Riail 32 a chur ar fionraí, nó

(b) an teideal chuig caitheamh aimsire fisiciúil, cleachtadh coirp nó oiliúint faoi Riail 32 a shrianadh nó a mhodhnú maidir le minicíocht, ré agus socruithe, ar feadh tréimhse nó tréimhsí sonraithe.

(2) I gcás go mbeidh an Rialtóir den tuairim, ag féachaint do chomhairle nó treoirlínte ón Roinn Sláinte nó Feidhmeannacht na Seirbhíse Sláinte, nó moladh ón Stiúrthóir Seirbhísí Cúraim Sláinte do Phríosúnaigh nó dochtúir príosúin, gur gá déanamh amhlaidh chun leathadh galair aicídigh a shonraítear de réir Rialachán 6 de na Rialacháin um Ghalair Aicídeacha (I.R. Uimh. 390 de 1981) agus de réir an Sceidil a ghabhann leis na Rialacháin sin, a chosc nó a theorannú laistigh dá phríosún nó dá phríosún, féadfaidh sé nó sí, faoi réir aon ordacháin ón Aire nó ón Ard-Stiúrthóir –

(a) an teideal chuig caitheamh aimsire fisiciúil, cleachtadh coirp nó oiliúint faoi Riail 32 a chur ar fionraí, nó

(b) an teideal chuig caitheamh aimsire fisiciúil, cleachtadh coirp nó oiliúint faoi Riail 32 a shrianadh nó a mhodhnú maidir le minicíocht, ré agus socruithe, ar feadh tréimhse nó tréimhsí sonraithe.”.

4. Leasaítear na Príomh-Rialacha tríd an riail seo a leanas a chur isteach i ndiaidh Riail 36:

“36A (1) I gcás go mbeidh an tArd-Stiúrthóir den tuairim, ag féachaint do chomhairle nó treoirlínte ón Roinn Sláinte nó Feidhmeannacht na Seirbhíse Sláinte, nó moladh ón Stiúrthóir Seirbhísí Cúraim Sláinte do Phríosúnaigh nó dochtúir príosúin, gur gá déanamh amhlaidh chun leathadh galair aicídigh a shonraítear de réir Rialachán 6 de na Rialacháin um Ghalair Aicídeacha (I.R. Uimh. 390 de 1981) agus de réir an Sceidil a ghabhann leis na Rialacháin sin, a chosc nó a theorannú laistigh de phríosún, féadfaidh sé nó sí a ordú do Rialtóir an phríosúin sin –

(a) an teideal chuig cuairteanna faoi Riail 35 a chur ar fionraí, nó

(b) an teideal chuig cuairteanna faoi Riail 35 a shrianadh nó a mhodhnú maidir le minicíocht, ré agus socruithe, go háirithe i ndáil le líon agus aois na gcuariteoirí a bheidh ceadaithe cuairteanna a thabhairt, ar feadh tréimhse nó tréimhsí sonraithe.

(2) I gcás go mbeidh an Rialtóir den tuairim, ag féachaint do chomhairle nó treoirlínte ón Roinn Sláinte nó Feidhmeannacht na Seirbhíse Sláinte, nó moladh ón Stiúrthóir Seirbhísí Cúraim Sláinte do Phríosúnaigh nó dochtúir príosúin, gur gá déanamh amhlaidh chun leathadh galair aicídigh a shonraítear de réir Rialachán 6 de na Rialacháin um Ghalair Aicídeacha (I.R. Uimh. 390 de 1981) agus de réir an Sceidil a ghabhann leis na Rialacháin sin, a chosc nó a theorannú laistigh dá phríosún nó dá príosún, féadfaidh sé nó sí, faoi réir aon ordacháin ón Aire nó ón Ard-Stiúrthóir -

(a) an teideal chuig cuairteanna faoi Riail 35 a chur ar fionraí, nó

(b) an teideal chuig cuairteanna faoi Riail 35 a shrianadh nó a mhodhnú maidir le minicíocht, ré agus socruithe, go háirithe i ndáil le líon agus aois na gcuariteoirí a bheidh ceadaithe cuairteanna a thabhairt, ar feadh tréimhse nó tréimhsí sonraithe.”.

ARNA THABHAIRT faoi mo Shéala Oifigiúil,

16 Iúil, 2020.

EILÉANA NIC AN tSAOI,

Aire Dlí agus Cirt agus Comhionannais.

NÓTA MÍNIÚCHÁIN

(Ní cuid den Ionstraim an nóta seo ná ní ceart a mheas gur míniú dlíthiúil uirthi é.)

Leasaítear leis an Ordú seo Rialacha na bPríosún, 2007 (I.R. Uimh. 252 de 2007).

## 11.3 Pleananna Gníomhaíochta IPS mar Fhreagra ar Mholtaí ó Thuarascáil Imscrúdaithe maidir le Bás faoi Choimeád, a foilsíodh in 2020

D'fhoilsigh an Chigireacht deich mBás faoi Choimeád i dtuarascálacha imscrúdaithe in 2020; a raibh gá Pleananna Gníomhaíochta IPS a fhoilsiú ina leith mar fhreagra ar mholtaí a rinne an Chigireacht. Tá pointí gníomhaíochta Phlean Gníomhaíochta IPS **le stádas leanúnach nó neamhiomlán** ón tráth a cuireadh an tuarascáil faoi bhráid an Aire curtha ar fáil thíos mar aon le deimhniú stádais ar an 31 Nollaig 2020. Maidir leis an ocht bPlean Gníomhaíochta, bhí moltaí leanúnacha nó neamhiomlána i gceist le seacht gcinn ag an tráth a tíolacadh an tuarascáil seo.

**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail O 2018, a foilsíodh ar an 27 Samhain 2020.**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 5:</b> Ba chóir faisnéis maidir le haistrithe seachtracha agus inmheánacha príosúnach a iontráil isteach sa PIMS go comhaimseartha. [cuid 2.39]	Eiseoidh Seirbhís Phríosúin na hÉireann meabhrúchán chuig gach príosún maidir leis na hoibleagáidí atá orthu gach teagmhas a thaifeadh agus maidir leis an tábhacht a bhaineann le teagmhais a thaifeadh go pras agus go cruinn ar pháipéar agus sa chóras leictreonach.	Seirbhísí Corparáideacha	Meán Fómhair 2020	Iomlán
<b>Moladh 7:</b> Ba chóir do IPS a chinntiú go mbeidh gach teagmháil inmheánach measúil agus go ndéanfar beart cuí nuair nach mbaintear an caighdeán sin amach. Ba chóir dlús a chur le Cód Eitice a fhorbairt do phearsanra IPS ar fad (bainistíocht shinsearach agus baill foirne sa HQ agus i bpríosúin) lena chríochnú agus a chur i bhfeidhm ina dhiaidh sin chomh luath agus is féidir.	Scaipfear an Cód Eitice nua ar an bhfoireann ar fad faoin 10 Eanáir 2020 in éineacht le fógra ón Ard-Stiúrthóir ina gcuirfear na baill foirne ar an eolas go bhfuil an Cód á chur i bhfeidhm. Tá clár feasachta in éineacht leis á fhorbairt faoi láthair agus cuirfear é ar fáil do na baill foirne ar fad, ag tosú i mí Feabhra 2020.	Seirbhísí Corparáideacha	Feabhra 2020 (moill mar gheall ar COVID-19, táthar ag súil é a chríochnú faoi dheireadh na bliana)	Tugadh an t-ábhar dréachta don Chód Eitice chun críche in 2019 agus tá athbhreithniú á dhéanamh air i gcomhair foilsíú.  Tá plean cumarsáide agus forfheidhmithe á fhorbairt chun tacú leis an doiciméad a fhoilsiú.
<b>Moladh 10:</b> Ba chóir cruinniú a thionóil maidir le Teagmhas Criticiúil chomh luath agus is féidir i ndiaidh do bhás faoi choimeád tarlú. [codanna 3.3 / 3.4]	Tá Dréachtleabhrán maidir le Teagmhas Criticiúil a Bhainistiú ag an Stiúrthóireacht Oibríochtaí atá á fhorbairt faoi láthair. Cuirfear moladh an Chigire faoi chaibidil sa leabhrán seo.	Oibríochtaí	R3 2020	Iomlán
<b>Moladh 11:</b> Ba chóir athbhreithniú a dhéanamh ar Bheartas IPS maidir le Teagmhas Criticiúil agus ba chóir plé a dhéanamh maidir le faisnéisiú fuar a chur san áireamh laistigh de 14 lá ar theagmhais tarlú d'fhonn deis bhreise a thabhairt do gach duine a bhí bainteach, lena n-áirítear príosúnaigh nuair is ábhartha.	Tá Dréachtleabhrán maidir le Teagmhas Criticiúil a Bhainistiú ag an Stiúrthóireacht Oibríochtaí atá á fhorbairt faoi láthair. Cuirfear moladh an Chigire faoi chaibidil sa leabhrán seo.	Oibríochtaí	R3 2020	Iomlán

Ba chóir foghlaim a aithint a bheith mar aidhm aige, tacú le gach duine a bhí bainteach agus measúnú a dhéanamh ar dhul chun cinn maidir le gníomhartha a aithníodh san fhaisnéisiú te, i.e. an faisnéisiú a dhéantar chomh luath agus is féidir i ndiaidh don teagmhas tarlú. [codanna 3.3 / 3.4]				
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**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail I 2018, a foilsíodh ar an 12 Lúnasa 2020**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 1:</b> Ba chóir do IPS treoir a thabhairt do na baill foirne ar fad nár mhór go mbeadh a dtaifead i scríbhinn agus a bhfianaise ó bhéal maidir le Básanna faoi Choimeád agus teagmhais shuntasacha eile mionsonraithe go hiomlán agus sainiúil maidir leis na gnéithe fíorasacha ar fad lena n-áirítear amanna agus ról poist. [Réamhrá]	Tabharfaidh Seirbhís Phríosúin na hÉireann meabhrúchán do na baill foirne ar fad maidir lena gcuid oibleagáidí chun gach teagmhas a thaifeadadh agus maidir leis an tábhacht atá le teagmhais a thaifeadadh go pras agus go cruinn ar na córais páipéir agus leictreonacha araon.	Seirbhísí Corparáideacha	R2 2020	lomlán.  Chomh maith leis sin, foilsíodh faisnéis agus dea-chleachtas mar threoir ar an inlíon maidir le tuarascálacha a scríobh.
<b>Moladh 3:</b> Ba chóir do IPS í féin a shásamh maidir le hinniúlacht na mball foirne ar fad a bhaineann leis an gcliseadh seo ordúithe an dochtúra a leanúint agus gníomh riachtanach ar bith a dhéanamh lena chinntiú nach dtarlóidh a leithéid arís in aon phríosún. [Alt 2.43]	Reáchtáladh seisiún faisnéiseacha i ndiaidh an DiC mar chleachtadh foghlama. Ina dhiaidh sin, bunaíodh grúpa Ríomhphoist do bhaill foirne altranais chun atreorú a chur in iúl do na disciplíní ábhartha. Cuireadh an “foirm um Atreorú chuig an ospidéal” i bhfeidhm mar chuid den bheartas agus déantar é sin a tharchur trí ríomhphost chuig an Oifig Sonraí/Oifig an Cheannaire.  <i>Tá an grúpa ríomhphoist seo le cur i bhfeidhm i ngach príosún.</i>	An Stiúrthóireacht um Chúram agus Athshlánú	Deireadh mhí an Mheithimh 2020	lomlán
<b>Moladh 6:</b> I bPrótacal IPS maidir le Séiplíneacht agus Neasghaol a Chur ar an Eolas dar dáta 25/05/2017, déantar foráil ag Cuid 2.3 maidir le neasghaol a chur ar an eolas faoi chásanna de thinneas tromchúiseach. Ba chóir do IPS monatóireacht a dhéanamh ar chur i bhfeidhm an Phrótaicail agus gníomhaíocht iomchuí a dhéanamh má bhíonn neamhchomhlíonadh i gceist. [Alt 3.18]	Tháinig an grúpa Séiplíneachta le chéile ar an 5 Mean Fómhair 2019, rinneadh athbhreithniú ar an mbeartas agus moladh roinnt athruithe. Déileálfadh an tArdséiplíneach nuacheaptha leo seo lena chinntiú go gcuirfean an beartas i bhfeidhm go hiomlán.	An Stiúrthóireacht um Chúram agus Athshlánú	R2 2020	lomlán* *Tá an prótacal á chur i bhfeidhm, ach d'fhéadfadh sé a bheith i gceist nach mbeidh Séiplíneach ar fáil láithreach i gcónaí nuair a tharlaíonn básanna lasmuigh de ghnáthuaireanta
<b>Moladh 7:</b> Ba chóir do IPS an réasúnaíocht seo a leanas a chur i bhfeidhm i gcás Athbhreithnithe maidir le Teagmhas Criticiúil: “Is é an aidhm atá leis deis a chur ar fáil do bhaill foirne agus aon phríosúnaigh a bhí rannpháirteach a gcuid tuairimí a roinnt maidir leis an mbealach inar bainistíodh an cás, mar aon le haon tacaíocht nó foghlaim a d'fhéadfadh a bheith ina chuidiú a aithint.” Dá bharr sin, ba chóir Athbhreithnithe maidir le Teagmhas Criticiúil a eagrú chun éascaíocht a dhéanamh ar dhaoine a raibh páirt	Tá Oibríochtaí i mbun Lámhleabhar do Nósanna Imeachta maidir le Teagmhais Chriticiúla a dhéanamh, ina gclúdófar, inter alia, Pleanáil do Theagmhas Criticiúil, Pleananna Criticiúla a Dhéanamh, nósanna imeachta i ndiaidh teagmhais chriticiúla agus imscrúduithe agus faisnéisiú.	An Stiúrthóireacht Oibríochtaí	Deireadh mhí an Mheithimh 2020	lomlán

lárnach acu, lena n-áirítear príosúnaigh, cúramóirí agus baill foirne ó ghníomhaireachtaí tacaíochta				
<b>Moladh 8:</b> Ba chóir go mbeadh miontuairiscí na nAithbhreithnithe maidir le Teagmhas Criticiúil ina léiriú ar phointí agus freagrachtaí gníomhaíochta ionas go dtuigeann gach pearsanra ábhartha an méid atá riachtanach. Tá sé seo fíor go háirithe nuair nár fhreastail na príomhpháirtithe ar an Athbhreithniú. [Alt 3.32]	Tá Oibríochtaí i mbun Lámhleabhar do Nósanna Imeachta maidir le Teagmhais Chriticiúla a dhéanamh, ina gclúdófar, inter alia, Pleanáil do Theagmhas Criticiúil, Pleananna Criticiúla a Dhéanamh, nósanna imeachta i ndiaidh teagmhais chriticiúla agus imscrúduithe agus faisnéisiú.	An Stiúrthóireacht Oibríochtaí	Deireadh mhí an Mheithimh 2020	Iomlán
<b>Moladh 9:</b> Ba chóir do IPS a chinntiú go dtugtar tús áite do gach atreorú chuig ospidéal seachtrach nuair a ainmníonn dochtúir iad a bheith "Práinneach". ([Alt 3.35])	Bunaíodh grúpa ríomhphoist lena chinntiú go bhfuil na disciplíní ábhartha ar fad ar an eolas faoin aistriú agus faoin gcreat ama a mholtar. I ndiaidh ríomhphost a eisiúint, cuirtear glaoch ar Oifig an Cheannaire agus chuig an Oifig Sonraí chun an fhaisnéis ábhartha a sheoladh ar aghaidh. <i>Cuirfear an córas grúpa ríomhphoist seo i bhfeidhm i ngach príosún.</i>	An Stiúrthóireacht um Chúram agus Athshlánú	Deireadh mhí an Mheithimh 2020	Iomlán
<b>Moladh 10:</b> Ba chóir do IPS a chinntiú go ndéantar cúram de gach ball foirne i ndiaidh teagmhais chriticiúil, lena n-áirítear iad sin a bhfuil taithí acu agus a bhfuil an chuma orthu go bhfuil siad ag déileáil go maith leis ag an am. [Alt 3.39]	Ina Phlean Straitéiseach 2019 go dtí 2022, thug IPS gealltanas maidir le Straitéis um Fholláine na Foirne a fhorbairt chun feachtas a ardú i measc na mball foirne faoi fhadhbanna meabhracha, mothúcháin agus fisiceacha agus chun sláinte mhaith fhisiceach agus intinne na bhfostaithe ar fad a chur chun cinn.	An Stiúrthóireacht um Acmhainní Daonna	Leanúnach	Leanúnach
<b>Moladh 11:</b> Ba chóir do IPS smaoineamh ar 'faisnéisiú fuar' a thabhairt isteach laistigh de 14 lá ar theagmhas criticiúil tarlú chun deis bhreise a thabhairt do gach duine a bhí bainteach, lena n-áirítear príosúnaigh nuair is ábhartha. Ba chóir foghlaim a aithint a bheith mar aidhm aige, tacú le gach duine a bhí bainteach agus measúnú a dhéanamh ar dhul chun cinn maidir le gníomhartha a aithníodh sa 'faisnéisiú te'. [Alt 3.40]	Tá Oibríochtaí i mbun Lámhleabhar do Nósanna Imeachta maidir le Teagmhais Chriticiúla a dhéanamh, ina gclúdófar, inter alia, Pleanáil do Theagmhas Criticiúil, Pleananna Criticiúla a Dhéanamh, nósanna imeachta i ndiaidh teagmhais chriticiúla agus imscrúduithe agus faisnéisiú.	An Stiúrthóireacht Oibríochtaí	Deireadh mhí an Mheithimh 2020	Iomlán

**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail K 2018, a foilsíodh ar an 10 Lúnasa 2020**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 8:</b> Ba chóir do IPS a chonarthaí seachtracha a aithbhreithniú lena chinntiú go bhfuil siad oiriúnach don fheidhm agus ag baint amach na riachtanais ar fad. Ba chóir tús áite a thabhairt do chonarthaí a bhaineann le sábháilteacht agus slándáil.	Reáchtálann an Rannán um Sheirbhísí a Fhorbairt den stiúrthóireacht Airgeadais agus Eastát cruinnithe rialta leis an soláthraí seirbhíse don chonradh maidir le CCTV a chothabháil chun déileáil le haon neamhchomhlíonadh / fadhbanna / cláreagrú. Chomh maith leis sin, táthar chun infheistíocht leanúnach a dhéanamh i dteicneolaíocht chun cuidiú le fabhtanna a chur in iúl do bhainisteoirí agus úsáideoirí trí scáileán	An Stiúrthóireacht Eastát	Leanúnach	Leanúnach

	luathrabhaidh.			
<b>Moladh 9:</b> Ba chóir faisnéisiú fuar a dhéanamh laistigh de 14 ar an teagmhas tarlú d'fhonn deis bhreise a thabhairt do gach duine a bhí bainteach, lena n-áirítear príosúnaigh nuair is ábhartha. Ba chóir foghlaim a aithint a bheith mar aidhm aige, tacú le gach duine a bhí bainteach agus measúnú a dhéanamh ar dhul chun cinn maidir le gníomhartha a aithníodh san fhaisnéisiú te	Tá Oibríochtaí i mbun Lámhleabhar do Nósanna Imeachta maidir le Teagmhais Chriticiúla a dhéanamh, ina gclúdófar, inter alia, Pleanáil do Theagmhais Criticiúil, Pleananna Criticiúla a Dhéanamh, nósanna imeachta i ndiaidh teagmhais chriticiúla agus imscrúduithe agus faisnéisiú.	Oibríochtaí na Bainistíochta Sinsearaí	Deireadh mhí an Mheithimh 2020	Iomlán
<b>Moladh 10:</b> Ba chóir do IPS a chinntiú go ndéantar cúram de gach ball foirne i ndiaidh teagmhais chriticiúil, lena n-áirítear iad sin a bhfuil tailthí acu agus a bhfuil an chuma orthu go bhfuil siad ag déileáil go maith leis ag an am.	Ina Phlean Straitéiseach 2019 go dtí 2022, thug IPS gealltanais maidir le Straitéis um Fholláine na Foirne a fhorbairt chun feachtas a ardú i measc na mball foirne faoi fhadhbanna meabhracha, mothúcháin agus fisiceacha agus chun sláinte mhaith fhisiceach agus intinne na bhfostaithe ar fad a chur chun cinn	Stiúrthóireacht HR	Leanúnach	Leanúnach

**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail H 2018, a foilsíodh ar an 29 Iúil 2020**

<b>Moladh</b>	<b>Gníomhaíocht/Gníomhaíochtaí Riachtanacha</b>	<b>Duine/Daoine atá Freagrach</b>	<b>Dáta maidir le Críochnú</b>	<b>Stádas ar an 31/12/2020</b>
<b>Moladh 1:</b> Ba chóir do IPS a chinntiú go n-aithnítear fíricí suntasacha i miontuairiscí cruinnithe tábhachtacha, ar nós Athbhreithnithe ar Theagmhais Chriticiúla. Fíricí ar nós dátaí, amanna, róil agus freagrachtaí mar aon le pearsanra nach raibh i láthair, in éineacht le míniúcháin. Ba chóir freagracht agus amscalaí a leithdháileadh mar chuid de na moltaí.	Tá Dréachtleabhrán maidir le Teagmhais Criticiúil a Bhainistiú ag an Stiúrthóireacht Oibríochtaí atá á fhorbairt faoi láthair. Cuirfear moladh an Chigire faoi chaibidil sa leabhrán seo.	An Stiúrthóireacht Oibríochtaí	Deireadh mhí an Mheithimh 2020	Iomlán
<b>Moladh 2:</b> Tionóltar 'faisnéisiú te' i ndiaidh teagmhais chriticiúil ar bhonn custaim agus cleachtais. Dá bharr sin, ba chóir do IPS tús áite a thabhairt do Bheartas maidir le Teagmhais Criticiúil a fhorbairt d'fhonn comhsheasmhacht maidir le cur chuige a chinntiú i ngach príosún. Ba chóir go n-áireofaí faisnéisithe i ndiaidh teagmhais chriticiúil leis an mbeartas (agus gan a bheith teoranta dó). Chomh maith le 'faisnéisiú te' (ar an lá nó oíche a tharlaíonn an teagmhas de réir mar is infheidhme) ba chóir smaoineamh ar fhaisnéisiú fuar a thabhairt isteach laistigh de 14 lá ar theagmhais chriticiúil tarlú chun deis bhreise a thabhairt do gach duine a bhí bainteach, lena n-áirítear príosúnaigh nuair is ábhartha. Ba chóir foghlaim a aithint a bheith mar aidhm aige, tacú le gach duine a bhí bainteach agus measúnú a dhéanamh ar dhul chun cinn maidir le gníomhartha a aithníodh san fhaisnéisiú te'.	Tá Dréachtleabhrán maidir le Teagmhais Criticiúil a Bhainistiú ag an Stiúrthóireacht Oibríochtaí atá á fhorbairt faoi láthair. Cuirfear moladh an Chigire faoi chaibidil sa leabhrán seo.	An Stiúrthóireacht Oibríochtaí	Deireadh mhí an Mheithimh 2020	Iomlán



**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail P 2018, a foilsíodh ar an 8 Bealtaine 2020**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 1:</b> Ba chóir do IPS smaoineamh ar bheartas a thabhairt isteach ina mbeadh ar phríosúnach cead i scríbhinn a thabhairt maidir lena mian gan a bheith athbheoite a dhearbhu. Ba chóir cosaint cuí a chur i bhfeidhm lena chinntiú go dtugtar cead dá leithéid go hiomlán ar an eolas agus go toilteanach.	Tá IPS i mbun Beartas maidir le Cúram Deireadh Saoil ina gcuirtear an tsaincheist maidir le hathbheochan san áireamh de réir mar is cuí. Tugtar deiseanna do phríosúnaigh réamhphleanáil a dhéanamh ina gcuirtear faisnéis chuí ar fáil do gach aon phríosúnach chun cinntí eolasacha a dhéanamh agus ina dtugtar tacaíocht ó dhuine a thuigeann castachtaí an phróisis mar aon le himpleachtaí cliniciúla na gcinntí. Tá sé tábhachtach a thabhairt ar aird go bhfuil gairmithe cúraim sláinte in IPS faoi réir na dTreoirleite maidir le Cúram Deireadh Saoil freisin de réir mar atá leagtha síos ag a gComhlachtaí Gairme.	John Devlin, Ceannasaí Cliniciúil IPS	R1 2020	Dréachtaíodh an Beartas maidir le Cúram Deireadh Saoil agus tá sé curtha i gcúrsaíocht lena cheadú

**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail A 2018, a foilsíodh ar an 8 Eanáir 2020**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 1:</b> Nuair atá oifigigh i mbun príosúnaigh a dhíghlasáil i ndiaidh tréimhsí de shiarghlasáil, ba chóir dóibh cumarsáid a dhéanamh ó bhéal leis an bpríosúnach lena chinntiú go bhfaighidh siad freagra ó bhéal agus cinnte a dhéanamh de go bhfuil sé/sí go maith agus nach bhfuil cóir leighis uathu.	Le cur i láthair SPG an 18/19 Meán Fómhair chun praiticiúlacht agus forfheidhmiú a phlé.	An Stiúrthóir Oibríochtaí	Lena phlé an 18/19 Meán Fómhair	Iomlán

**Plean Gníomhaíochta IPS, mar aon le nuashonrú maidir le stádas na nGníomhaíochtaí a chuir IPS ar fáil ar an 31 Nollaig 2020, maidir le moltaí a tugadh sa tuarascáil imscrúdaithe i leith na gcúinsí a bhain le bás an Uasail N 2018, a foilsíodh ar an 8 Eanáir 2020**

Moladh	Gníomhaíocht/Gníomhaíochtaí Riachtanacha	Duine/Daoine atá Freagrach	Dáta maidir le Críochnú	Stádas ar an 31/12/2020
<b>Moladh 1:</b> Ba chóir do IPS smaoineamh ar athbhreithniú a dhéanamh ar na nósanna imeachta maidir le fógra a thabhairt do An Garda Síochána maidir le daoine ar deonaidh RTR dóibh agus a chinntiú go gcuirfead na nósanna imeachta comhaontaithe i bhfeidhm.	Tá cruinniú le An Garda Síochána socruithe ag IPS don 22 Samhain (2018) agus tá sé i gceist againn an moladh seo a phlé go mion mar chuid den chruinniú seo.	Bainistíocht Shinsearach IPS/ An Garda Síochána	Cuirfead an creat ama in iúl i ndiaidh cainteanna le An Garda Síochána	Iomlán